

LEGISLATIVE SUMMARY REPORT



2006 LEGISLATIVE YEAR

A compilation of legislation from the second half of the 2005-06 Legislative Session affecting the California Environmental Protection Agency.

STATE OF CALIFORNIA

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INTRODUCTION

The California Environmental Protection Agency (Cal/EPA) was created by Governor Pete Wilson in 1991 and combined environmental programs previously administered in six separate state agencies. The six environmental agencies within Cal/EPA include the State Air Resources Board, the Integrated Waste Management Board, the Department of Pesticide Regulation, the Department of Toxic Substances Control, the Office of Environmental Health Hazard Assessment, and the State Water Resources Control Board.

The mission of Cal/EPA is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality. This mission will help ensure that California that enjoys a clean, healthy, sustainable environment that enhances the quality of life for current and future generations, and protects our diverse natural resources.

ACRONYMS

AB	Assembly Bill
AJR	Assembly Joint Resolution
ACR	Assembly Concurrent Resolution
AQMD	Air Quality Management District
ARB	Air Resources Board
BAAQMD	Bay Area Air Quality Management District
BAR	Bureau of Automotive Repair
BT&H	Business, Transportation and Housing Agency
Cal/EPA	California Environmental Protection Agency
CAPCOA	California Air Pollution Control Officers Association
CAT	Climate Action Team
CDFA	California Department of Food and Agriculture
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CLEERA	California Land Environmental Restoration and Reuse Act
CIWMB	California Integrated Waste Management Board
CPUC	California Public Utilities Commission
CUPA	Certified Unified Program Agency
DGS	Department of General Services
DHS	Department of Health Services
DFG	Department of Fish and Game
DMV	Department of Motor Vehicles
DOF	Department of Finance
DOT	Department of Transportation (Cal/Trans)
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EIR	Environmental Impact Report
FY	Fiscal Year
GHG	Greenhouse Gas
HOV	High Occupancy Vehicle
OEHHA	Office of Environmental Health Hazard Assessment
LNG	Liquefied Natural Gas
MOU	Memorandum of Understanding
OEHHA	Office of Environmental Health Hazard Assessment
OPR	Governor's Office of Planning and Research
PIER	Public Interest Energy Research
PM	Particulate Matter
PUC	California Public Utilities Commission
RPS	Renewable Portfolio Standard
SB	Senate Bill
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution

SWRCB	State Water Resources Control Board
TRI	Toxic Release Inventory
US EPA	United States Environmental Protection Agency
ZEV	Zero Emission Vehicle

BILLS BY SUBJECT

ADMINISTRATIVE

AB 38	Tran	State boards and commissions: suspension of salaries	Dead
AB 53	McLeod	Surplus state property	Dead
AB 87	Bermudez	Trapping licenses: exemptions	Chapter 406
AB 219	Nakanishi	State agencies: publications	Dead
AB 235	Haynes	Agency fiscal reports	Dead
AB 271	Blakeslee	State employees: scientists	Dead
AB 353	La Malfa	Public resources	Dead
AB 362	Aghazarian	Administrative proceedings	Dead
AB 1186	Horton, Jerome	State civil service	Dead
AB 1302	Horton, Jerome	Office of Administrative Law: regulations	Chapter 713
AB 2103	Walters	Legislative Analyst: analysis of statutes	Dead
AB 2321	Canciamilla	Energy: Governor's Green Action Team	Dead
AB 2404	Klehs	State government: reports: declarations	Vetoed
AB 2420	Lieu	Collection of demographic data	Vetoed
AB 2582	Mullin	CALGOLD Program	Chapter 283
AB 2591	Keene	State agencies: accounts: reports	Chapter 617
ACAX1 1	Richman	Public employee defined contribution plan	Dead
SB 1271	Escutia	Public officers: conflicts of interest	Dead
SB 1377	Soto	ARB: powers and duties	Dead
SB 1436	Figueroa	Small business: state agency information	Chapter 234
SB 1703	Lowenthal	California Transportation Commission	Vetoed
SB 1832	Kehoe	Public records: fee waiver	Dead

AIR POLLUTION/QUALITY/CARL MOYER

AB 888	De La Torre	Air pollution: equipment emissions	Dead
AB 898	Maze	Smog check technicians	Dead
AB 942	Cogdill	Air quality: agricultural burning in the San Joaquin Valley	Dead
AB 1101	Oropeza	Air pollution: diesel magnet sources	Dead
AB 1231	Horton, Jerome	Air pollution	Dead
AB 1365	Ruskin	Greenhouse gas emission levels	Dead
AB 1407	Lieber	HOV lanes	Chapter 606
AB 1430	Goldberg	Air contaminants	Chapter 851
AB 1870	Lieber	Air pollution: motor vehicle inspection and maintenance	Chapter 761
AB 1901	Horton, Shirley	Air pollution: truck retrofit revolving loan program	Dead

AB 1997	Cogdill	San Joaquin Valley Unified Air Pollution Control District: high polluter vehicles	Dead
AB 2015	Lieu	Air quality: SCAQMD: board membership	Dead
AB 2067	Oropeza	Smoking: enclosed spaces of buildings	Chapter 736
AB 2151	Villines	California Environmental Protection Agency: rules: scientific peer review	Dead
AB 2276	Pavley	Ozone: indoor air cleaning services	Chapter 770
AB 2388	Vargas	Air pollution: imported electricity: mitigation fee	Dead
AB 2501	Lieu	Aircraft emissions: Santa Monica Airport	Dead
AB 2553	Arambula	Air quality: loans	Dead
AB 2600	Lieu	Vehicles: HOV lanes	Chapter 614
AB 2647	Oropeza	Vehicular air pollution: truck retrofit assistance program	Dead
AB 2788	Arambula	Vehicle air pollution: voluntary accelerated vehicle retirement program	Dead
AB 2791	Ruskin	Vehicle emissions	Dead
AB 2804	Salinas	SMAQMD	Chapter 425
AB 2823	Ruskin	Air pollution: district compliance programs	Vetoed
AB 2824	Ruskin	Air pollution: air toxics emissions inventory	Dead
AB 2843	Saldana	Air pollution	Chapter 798
AB 2908	Horton, Shirley	Motor Vehicle Inspection Program	Dead
AB 2965	Levine	Air pollution: new source review	Dead
AB 3018	Lieber	Air pollution: indoor air pollution	Dead
SB 44	Torlakson	Vehicles: dealer document preparation charges	Chapter 623
SB 109	Ortiz	Air pollution: violations of stationary sources	Dead
SB 225	Soto	Makes changes to Carl Moyer program	Chapter 627
SB 459	Romero	SCAQMD: emissions of air contaminants: locomotives	Dead
SB 655	Ortiz	Asbestos	Dead
SB 829	Murray	Air quality: vehicular sources	Dead
SB 931	Florez	Pollution control authority	Dead
SB 975	Ashburn	Air quality: biodiesel fuel	Dead
SB 976	Ashburn	Air quality: Protection California Air Act of 2003: stationary sources	Dead
SB 999	Machado	SJVUAPCD: district board	Dead
SB 1205	Escutia	Children's Breathing Rights Act	Dead
SB 1230	Florez	San Joaquin Valley Clean Air Enterprise Zone Program	Vetoed
SB 1377	Soto	State ARB: powers and duties	Dead
SB 1718	Perata	Air pollution	Dead
SB 1829	Lowenthal	Marine terminals: air emissions	Dead

SCR 63	Florez	California school bus emissions reduction	Dead
SR 23	Florez	Relative to federal clean air regulation	Dead

BONDS

AB 127	Nunez	Kindergarten-University Public Education Facilities Bond Act of 2006	Chapter 35
AB 134	Nunez	Public infrastructure bonds	Dead
AB 135	Committee on Budget	Flood control: levee repair and flood control systems	Dead
AB 136	Committee on Budget	Resources	Dead
AB 140	Nunez	Disaster Preparedness and Flood Prevention Bond Act of 2006	Chapter 33
AB 1269	Pavley	Clean Air, Clean Water, Coastal Protection and Parks Act of 2007	Dead
AB 1783	Nunez	Infrastructure financing	Dead
AB 1838	Oropeza	Transportation Bond Acts of 2006, 2008, and 2012: transportation contracting	Dead
AB 1839	Laird	Water: Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Acts of 2006 and 2010	Dead
SB 69	Perata	Education facilities bond acts: 2006 and 2008	Dead
SB 74	Perata	Emergency Flood Protection and Levee Repair Bond Act of 2006	Dead
SB 153	Chesbro	Parks and recreation	Dead
SB 601	Soto	Build California Bond Act of 2006	Dead
SB 863	Florez	California Clean Air Bond Act	Dead
SB 1024	Perata	Public works and improvements: bond measure	Dead
SB 1163	Ackerman	California Critical Infrastructure Facilities Bond Acts of 2006 and 2010	Dead
SB 1164	Runner	Education facilities bond acts	Dead
SB 1165	Dutton	Transportation Bond Acts of 2006, 2008, and 2012: transportation contracting	Dead
SB 1166	Aanestad	Water: Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Acts of 2006 and 2010	Dead
SB 1266	Perata	Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006	Chapter 25
SB 1612	Simitian	Clean Drinking Water, Water Supply Security, and Environmental Improvement Bond Act of 2006	Dead
SCA 31	Simitian	Clean Drinking Water, Water Supply Security, and Environmental Improvement Bond Act of 2006	Dead

BORDER

AB 966	Saldana	Water quality: California Baja California border region	Vetoed
AB 2361	Huff	Transportation: federal funds: border infrastructure funds	Dead
AB 2700	Saldana	San Diego Regional Water Quality Control Board: international wastewater treatment	Dead
AB 3021	Nunez	California-Mexico relations	Chapter 621
SB 1282	Ducheny	Transportation: federal funds: border infrastructure program	Chapter 451
SB 1286	Ducheny	Binational air pollution	Vetoed

BROWNFIELDS

AB 475	Baca	Local agency military base recovery area	Dead
AB 597	Montanez	Brownfield sites	Dead
AB 956	Coto	Hazardous materials: release site: public information	Dead
AB 1279	Ruskin	Oversight of military base remediation	Dead
AB 1341	ESTM	Financing authorities: grants and loans	Chapter 714
AB 2145	Montanez	Clarifying changes to the term liability	Dead
AB 2547	Ridley-Thomas	Tax deductions for the redevelopment of brownfields	Dead
SB 354	Escutia	Makes changes to CLERRA	Chapter 523
SB 1206	Kehoe	Revises definition for "predominantly urbanized" for the purpose of redevelopment	Chapter 595

BUDGET

AB 1800	Laird	2006/07 Budget	Dead
AB 1801	Laird	2006/07 Budget	Chapter 47
AB 1803	Laird	2006/07 Budget	Dead
AB 1806	Cmte on Budget	State government	Chapter 69
AB 1811	Laird	Budget Act of 2006	Chapter 48
AB 1812	Cmte on Budget	Budget Act of 2006	Chapter 733
AB 1813	Cmte on Budget	Public resources: hazardous materials tax	Chapter 344
AB 1826	Committee on Budget	Budget Act of 2006	Dead
AB 1827	Committee on Budget	Budget Act of 2006	Dead
AB 1828	Committee on Budget	Budget Act of 2006	Dead

AB 1829	Committee on Budget	Budget Act of 2006	Dead
AB 1830	Committee on Budget	Budget Act of 2006	Dead
AB 2028	Huff	Transportation funding for Budget Act of 2007	Dead
ACA 1	Calderon	Two-year budget	Dead
ACA 12	Umberg	Two-year budget	Dead
ACAX1 4	Keene	Declaration of a fiscal emergency	Dead
SB 52	Chesbro	2005/06 Budget	Dead
SB 1129	Chesbro	2006/07 Budget	Dead
SCA 2	McClintock	Changes to budget process	Dead
SCA 5	McClintock	Make changes to budget act	Dead
SCAX1 2	McClintock	Changes to budget process	Dead
CEQA			
AB 1387	Jones	Residential infill projects	Chapter 715
AB 1464	McCarthy	CEQA: Review of EIRs	Dead
AB 2029	Villines	State of emergency: imminent breach or failure flood threat	Dead
AB 2252	Strickland	Environmental impact report	Dead
AB 2518	Houston	California Environmental Quality Act	Dead
AB 2931	Aghazarian	BT&H International trade and investment	Dead
AB 2933	Houston	Makes technical changes to CEQA for local lead agencies	Dead
SB 427	Hollingsworth	Scoping meetings	Dead
SB 476	Runner	EIR: waste projects	Dead
SB 602	Figueroa	Standardized environmental data reports	Dead
SB 832	Perata	Punitive damages	Vetoed
SB 926	Florez	Solid waste facility: EIR	Dead
SB 948	Murray	CEQA: EIR short form	Dead
SB 993	Ashburn	CEQA: legislative findings and declarations	Dead
SB 1171	Hollingsworth	CEQA and private employment	Dead
SB 1172	Hollingsworth	Makes technical changes to the definition of EIR	Dead
SB 1191	Hollingsworth	Makes changes to CEQA	Dead
SB 1215	Cox	Makes changes to the definition of "environment"	Dead
SB 1216	Cox	Makes technical changes to the definition of EIR	Dead
SB 1395	Ducheny	Native American sites	Vetoed
SB 1705	Ashburn	CEQA: negative declarations	Dead

SB 1792	Margett	Makes technical changes to existing CEQA law	Dead
SB 1798	Perata	Revises definition of "infill site"	Dead
SB 1814	Torlakson	CEQA: schools	Chapter 882

CLIMATE CHANGE

AB 32	Nunez	California Global Warming Solutions Act of 2006	Chapter 488
AB 1365	Ruskin	Greenhouse gas emission levels	Dead
AB 2185	Nation	Motor vehicles: greenhouse gas emissions	Dead
SB 984	McClintock	GHG emissions reductions: powerplants	Dead
SB 1368	Perata	Electricity: emissions of greenhouse gases	Chapter 598
SB 1686	Kuehl	Wildlife conservation: project impact on greenhouse gases	Chapter 469
SCR 34	Kehoe	Climate change: West Coast Governors' Global Warming Initiative	Dead

ENERGY

AB 315	Hancock	Energy efficient design standards for school facilities	Dead
AB 965	Saldana	Solar energy systems	Dead
AB 1362	Levine	Renewable energy resources	Dead
AB 1555	La Malfa	California RPS program: hydroelectric generation facilities	Dead
AB 1632	Blakeslee	Energy: planning and forecasting	Chapter 722
AB 1925	Blakeslee	Long-term management of industrial carbon dioxide	Chapter 471
AB 1970	Levin	California Vampire Slayer Act of 2006	Dead
AB 2021	Levine	Establish statewide target for energy efficiency	Chapter 734
AB 2189	Blakeslee	Renewable energy resources	Chapter 747
AB 2207	Blakeslee	Thermal powerplants	Dead
AB 2315	McCarthy	California Renewables Portfolio Standard Program	Dead
AB 2321	Canciamilla	Governor's Green Action Team	Dead
AB 2424	Blakeslee	Distributed generation of electricity	Dead
AB 2573	Leno	Hetch Hetchy Water and Power solar generation	Chapter 786
AB 2723	Pavley	Solar energy for low-income residential housing	Chapter 864
AB 2756	Levine	Energy efficiency retrofits for public schools	Vetoed
AB 2778	Lieber	Self-generation incentive program	Chapter 617
AB 2874	Benoit	Renewables portfolio standard	Dead
AB 2960	Ridley-Thomas	Electrical corporation procurement plans	Vetoed
AB 3016	Blakeslee	Renewable electricity generation resource plan	Dead
SB 107	Simitian	PIER demonstration and development program	Chapter 464
SB 426	Simitian	Liquefied natural gas terminals	Dead

SB 769	Simitian	Energy efficient refrigerators	Dead
SB 1003	Escutia	Liquefied natural gas terminals	Dead
SB 1250	Perata	Cost-effective energy efficiency programs	Chapter 512
SB 1728	Battin	Renewable energy resources	Dead
SB 1816	Alarcon	Gas furnace replacement program	Dead

ENFORCEMENT

AB 528	Frommer	Public Health and Environmental Enforcement Law of 2005	Dead
AB 1128	Blakeslee	RWQCB members: conflict of interest	Dead
AB 1688	Niello	Illegal dumping enforcement officers	Chapter 267
AB 2253	Hancock	Illegal dumping of vehicles	Chapter 765
AB 2289	Ruskin	Plastic bulk merchandise containers	Chapter 461
AB 2367	La Suer	Hazardous waste criminal penalties	Chapter 347
AB 2391	Cmte on U&C	PUC workplan reports	Dead
AB 2394	Aghazarian	Minor violations of air and water	Dead
AB 2724	Klehs	Underground storage tank systems civil penalties	Dead
AB 2823	Ruskin	Air district compliance programs	Vetoed
AB 2861	Ridley-Thomas	Lead abatement	Chapter 477
SB 109	Ortiz	Minor violations of stationary sources	Dead
SB 230	Figueroa	Structural fumigation enforcement program	Chapter 42
SB 879	Escutia	Pest control violations	Dead
SB 1205	Escutia	Children's Breathing Rights Act	Dead
SB 1252	Florez	Discharge of particulate matter	Dead

FUELS

AB 141	Cmte on Budget	Hydrogen fuel	Dead
AB 151	Laird	Oil Conservation, Efficiency and Alternative Fuels Act	Dead
AB 674	Klehs	Removes diesel fuel reimbursement for farming purposes	Dead
AB 679	Calderon	Diesel fuel	Chapter 11
AB 936	Wyland	Transportation fuels: study	Dead
AB 1012	Nation	Clean alternative fuels	Vetoed
AB 1611	Ridley-Thomas	LNG facilities: permitting process	Dead
AB 1631	Klehs	Fuel cell vehicles	Dead
AB 2744	Wyland	Office of Special Counsel on Transportation Fuels	Dead
ACR 167	Pavley	Nonpetroleum, clean alternative fuels	Dead
SB 250	Campbell	Hydrogen fuel standards	Dead

SB 426	Simitian	LNG terminals	Dead
SB 757	Kehoe	Oil Conservation, Efficiency, and Alternative Fuels Act	Vetoed
SB 1416	Battin	Study on the impact of gasoline supply	Dead
SB 1505	Lowenthal	Hydrogen fuel	Chapter 877
SB 1511	Ducheny	Regulations on renewable fuels	Dead
SB 1522	Aanestad	Diesel Fuel Tax Law exemptions	Dead
SB 1619	Dutton	Fuel and petroleum products: air carriers: sales and use taxes	Dead
SB 1675	Kehoe	Renewable diesel fuel	Dead

GREEN BUILDINGS

AB 315	Hancock	Energy efficiency design standards for school facilities	Dead
AB 701	Nava	State buildings: energy and design criteria	Dead
AB 1337	Ruskin	Green building standards	Vetoed
AB 2160	Lieu	State buildings: green building	Chapter 742
AB 2321	Canciamilla	Governor's Green Action Team	Dead
AB 2878	Ruskin	Green building standards	Dead
AB 2880	Lieu	Green buildings	Dead
AB 2928	Laird	Voluntary guidelines for green building construction	Dead

HAZARDOUS MATERIALS/SUBSTANCES/WASTE

AB 492	Wolk	Underground storage tanks	Dead
AB 639	Aghazarian	Hazardous waste control: generator identification numbers	Dead
AB 766	Coto	Hazardous materials: liability	Dead
AB 956	Coto	Hazardous materials release	Dead
AB 990	Lieber	California Safer Chemical Substitutes Act	Dead
AB 1279	Ruskin	Military base remediation: oversight	Dead
AB 1327	Tran	Accidental release prevention program	Dead
AB 1344	ESTM	Hazardous substances: multiparcel remediation	Dead
AB 1953	Chan	Lead plumbing	Chapter 853
AB 2092	Hancock	Hazardous substance release: vapor intrusion	Vetoed
AB 2127	Tran	Alkaline batteries	Dead
AB 2114	Montanez	Hazardous materials: land use	Chapter 562
AB 2145	Montanez	Hazardous materials: liability	Dead
AB 2155	Wolk	Pharmaceutical activities	Chapter 741
AB 2202	Saldana	Revises definition of "ROHS directive"	Dead
AB 2335	Saldana	Medical waste	Chapter 166

AB 2490	Ruskin	California Toxic Release Inventory Program	Vetoed
AB 2516	Tran	Toxic substances: PBDEs	Dead
AB 2628	Baca	Hazardous substances: perchlorate contamination	Dead
AB 2822	Mullin	Railroad corporations: hazardous substances fee	Dead
AB 2988	Lieu	Dry cleaning operations	Dead
AB 3001	Pavley	Electronic waste – personal computers	Dead
SB 354	Escutia	Hazardous materials release: remediation	Chapter 523
SB 403	Machado	Chemical Tanker Task Force	Vetoed
SB 419	Simitian	Hazardous materials: transportation: railroad tank cars	Dead
SB 960	Simitian	Hazardous waste research database	Vetoed
SB 977	Ashburn	Hazardous substances: perchlorate	Dead
SB 982	Sen EQ	Underground storage tanks	Vetoed
SB 989	Sen EQ	Bona fide ground tenant: remedial actions	Chapter 510
SB 1797	Perata	Hazardous waste identification	Dead

LOCOMOTIVES/PORTS/GOODS MOVEMENT

AB 1020	Hancock	Transportation planning: improved travel models	Chapter 31
AB 1678	Saldana	Ports and harbors: vessels: air pollution	Dead
AB 1935	Bermudez	Railroads: maintenance and safety	Chapter 885
AB 2113	Aghazarian	Goods movement transportation	Dead
AB 2237	Karnette	Harbors and ports: security	Chapter 503
AB 2274	Karnette	Harbors and ports: emergency response and evacuation plans	Chapter 859
AB 2822	Mullin	Railroad corporations: hazardous substances fee	Dead
AB 2896	Karnette	Commercial Transportation Development Council	Dead
AB 2963	DeVore	Ports	Dead
SB 760	Lowenthal	Ports congestion relief and security enhancement	Dead
SB 761	Lowenthal	Air resources: marine terminals	Dead
SB 762	Lowenthal	Ports: regulation	Dead
SB 764	Lowenthal	SCAQMD: ports	Dead
SB 927	Lowenthal	Ports congestion relief and security enhancement	Vetoed
SB 1494	McClintock	Top priority transportation projects	Dead
SB 1601	Lowenthal	Air pollution emissions at marine ports	Dead
SB 1829	Lowenthal	Air emissions at marine terminals	Dead
SJR 31	Lowenthal	Clean ports	Chapter 99

METHAMPHETAMINE

AB 1017	Cogdill	Illegal disposal of methamphetamine	Dead
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AB 2587	Liu	Cleanup of contaminated recreational vehicles	Chapter 789
SB 421	Simitian	Illegal drug labs funding	Dead
SB 566	Bowen	Controlled substances: removal actions	Dead
SB 1458	Simitian	Illegal drug labs cleanup funding	Dead

PESTICIDES

AB 1684	Klehs	Pesticides: assessment	Dead
AB 1730	La Malfa	Pesticide registration	Dead
AB 2078	Montanez	Pesticide studies	Dead
AB 2247	La Suer	Structural pest control	Dead
AB 2443	Klehs	Fertilizer	Dead
AB 2648	Matthews	Pesticides	Chapter 93
AB 2865	Torrico	Day care facilities pest management practices	Chapter 865
SB 509	Florez	Pesticide notification	Dead
SB 1418	Denham	Pests	Dead

PUBLIC HEALTH/SAFETY

AB 158	Bermudez	Railroads safety study	Chapter 697
AB 289	Chan	Chemical testing methods	Chapter 699
AB 319	Chan	Phthalates and bisphenol-A in children's products	Dead
AB 815	Lieber	Exposure limits for hazardous substances	Dead
AB 1062	Saldana	Biomonitoring experimentation consent	Vetoed
AB 1240	Levine	Mercury	Dead
AB 1360	Hancock	Public health priority sites	Dead
AB 1414	Berg	Children's Environmental Health Center	Dead
AB 1535	Nunez	School instructional gardens: pupil nutrition	Chapter 437
AB 1548	Pavley	Instructional materials: electronic format	Chapter 717
AB 1588	Negrete McLeod	Review and repeals of professional licensing boards	Dead
AB 1681	Pavley	Lead-containing jewelry	Chapter 415
AB 1953	Chan	Lead plumbing	Chapter 853
AB 2022	Ruskin	Product safety of portable gasoline containers	Chapter 473
AB 2151	Villines	Cal/EPA: rules: scientific peer review	Dead
AB 2443	Klehs	Threat to drinking water from nitrogen based compounds	Dead
AB 2490	Ruskin	California Toxic Release Inventory Program	Vetoed
AB 2516	Tran	Prohibit use of PBDEs in recycled material	Dead
AB 2628	Baca	Perchlorate contamination	Dead

AB 2841	De La Torre	Transportation of fireworks	Dead
AB 2852	Nava	Tsunami hazard mitigation	Dead
AB 2861	Ridley-Thomas	Lead abatement	Chapter 477
AB 2865	Torricon	School safety	Chapter 865
AB 2901	Wolk	Mercury monitoring and remediation	Dead
SB 151	Soto	School pedestrian bicyclist safety program	Dead
SB 403	Machado	Chemical Tanker Task Force	Vetoed
SB 655	Ortiz	Asbestos	Dead
SB 849	Escutia	Environmental health data tracking	Vetoed
SB 985	Dunn	Adulterated candy: lead poisoning prevention	Dead
SB 1379	Perata	Biomonitoring	Chapter 599
SB 1478	Speier	Toxic chemicals release form	Dead

RECYCLING

AB 1049	Koretz	Recycling: labeling of food and beverage packages	Dead
AB 1193	Hancock	Recycling compact disc and digital versatile discs	Dead
AB 1866	Karnette	Recycling: polystyrene: state facilities	Dead
AB 2206	Montanez	Recycling: multifamily dwellings	Vetoed
AB 2271	Koretz	Household batteries: recycling	Dead
AB 2449	Levine	Plastic carryout bags	Chapter 845
AB 2845	Bogh	Recycling and litter cleanup grants	Dead
AB 3025	Cmte on Nat Resources	Increased refund value for plastic containers	Chapter 907
AB 3056	Cmte on NR	Beverage containers: quality incentive payments	Chapter 907
SB 420	Simitian	Procurement of recycled products	Chapter 392
SB 1058	Campbell	Recycling residue	Dead
SB 1344	Chesbro	Plastic packaging containers	Chapter 144
SB 1345	Chesbro	Recycled compost	Dead

SMOG CHECK

AB 578	Horton, Shirley	Smog check repair stations	Dead
AB 2249	Soto	Smog check testing technicians	Dead
AB 2788	Arambula	Voluntary Accelerated Vehicle Retirement Program	Dead
SB 1389	Perata	Inspection and Maintenance Review Committee	Dead
SB 1839	Perata	Smog check: inspection and maintenance review committee	Dead

SOLAR

AB 2912	Torricon	Solar energy	Dead
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SB 1	Murray	Solar energy: net metering	Chapter 132
SB 1347	Machado	Solar evaporators	Chapter 309
SB 1572	Murray	Solar energy systems	Dead
SB 1700	Murray	Solar energy systems	Dead

SOLID WASTE

AB 177	Bogh	Solid waste: biomass conversion transformation	Dead
AB 727	Bermudez	Biomass conversion technology	Dead
AB 1090	Matthews	Solid waste: diversion-conversion	Dead
AB 1992	Canciamilla	Solid waste dumping	Chapter 416
AB 2118	Matthews	Solid waste	Dead
AB 2147	Harmon	Plastic food and beverage containers	Chapter 349
AB 2211	Karnette	Solid waste disposal site cleanup	Chapter 762
AB 2296	Montanez	Landfill closure and postclosure maintenance	Chapter 504
AB 2734	Hancock	Rigid plastic packaging containers	Dead
SB 369	Simitian	Solid waste: tire recycling: rubberized asphalt concrete	Chapter 300
SB 411	Alarcon	Solid waste: nondiodegradable materials: landfills	Dead
SB 928	Perata	Solid waste	Dead
SB 1076	Perata	Solid waste	Dead
SB 1515	Kehoe	Solid waste facilities operating hours	Dead
SB 1573	Alarcon	Solid waste packaging	Dead
SB 1778	Alarcon	Compost - alternative daily covers	Dead
SB 1835	Florez	Local solid waste facilities permits	Vetoed

SPECIAL WASTE

AB 17	Kortez	Universal waste	Dead
AB 1333	Frommer	Grease waste haulers	Chapter 186
SB 3001	Pavley	Electronic waste: personal computers	Dead
SB 1294	Ducheny	Geothermal waste	Chapter 143
SB 1305	Figuroa	The Medical Waste Management Act	Chapter 64

VEHICLES

AB 184	Cogdill	High polluter vehicles	Dead
AB 1223	Leno	Low-emission vehicle sales	Dead
AB 1407	Lieber	State-owned Bay Area toll bridges: HOV lanes	Chapter 606
AB 1974	Walters	High-occupancy vehicle lanes	Dead
AB 2253	Hancock	Vehicles: illegal dumping	Chapter 765
AB 2264	Pavley	State fleet vehicle purchases	Chapter 767

AB 2600	Lieu	Vehicles: HOV lanes	Chapter 614
SB 519	McClintock	Highways: exclusive use or preferential-use lanes	Dead
SB 1791	Margett	Exclusive use or preferential use lanes	Dead
SCR 63	Florez	California school bus emissions reduction	Dead
SCR 132	Lowenthal	Hybrid Vehicle Awareness Month	Chapter 126

WATER SUPPLY/POLICY/QUALITY

AB 290	Leslie	California waterworks standards	Dead
AB 340	Parra	Arsenic levels in drinking water	Dead
AB 342	Baca	Perchlorate fee	Dead
AB 371	Goldberg	Water recycling	Chapter 541
AB 374	Bermudez	Water replenishment districts	Dead
AB 501	La Malfa	Water supply assessments	Dead
AB 579	Emmerson	Groundwater	Dead
AB 580	Emmerson	Water conveyance facilities	Dead
AB 645	Houston	Tide and submerged lands: California Coastal Sanctuary	Dead
AB 797	Wolk	Sacramento-San Joaquin Delta	Chapter 547
AB 798	Wolk	Delta levee maintenance	Chapter 548
AB 802	Wolk	Water supply	Dead
AB 869	Ruskin	Bay area regional water system	Dead
AB 966	Saldana	California Baja California border region	Vetoed
AB 1128	Blakeslee	California RWQCB members: conflict of interest	Dead
AB 1220	Jones	Flood liability	Dead
AB 1232	Horton, Jerome	Water replenishment districts	Dead
AB 1244	Wolk	CALFED Bay Delta Program	Dead
AB 1245	Wolk	West Sacramento Area Flood Control Agency	Dead
AB 1269	Pavley	Clean Air, Clean Water, Coastal Protection and Parks Act of 2007	Dead
AB 1271	Blakeslee	Central Coast Agricultural BMP Pilot	Dead
AB 1290	La Malfa	Water use fees	Dead
AB 1354	Baca	Perchlorate levels in drinking water	Dead
AB 1421	Laird	Water discharge permits	Dead
AB 1665	Laird	Water resources	Dead
AB 1679	Mullin	RWQCB: Ano Nuevo hydrologic unit	Dead
AB 1713	Villines	Temperance flat water storage facility	Dead
AB 1724	Villines	Water quality: excessive rainfall	Dead
AB 1727	Aghazarian	SWRCB and RWQCBs	Dead

AB 1877	Nakanishi	Flood control: natural community conservation plan	Dead
AB 1881	Laird	Water conservation	Chapter 559
AB 1899	Wolk	Flood protection	Dead
AB 1940	Koretz	Statewide marine debris reduction efforts	Dead
AB 1969	Yee	Electrical corporations: water agencies	Chapter 731
AB 2026	Aghazarian	Flood control	Dead
AB 2027	La Malfa	Flood control projects	Dead
AB 2029	Villines	State of emergency: flood threat emergency	Dead
AB 2080	Strickland	Arroyo Conejo water quality	Dead
AB 2162	Maze	Levees restoration	Dead
AB 2348	Laird	Pajaro River	Chapter 354
AB 2394	Aghazarian	Minor violations: air pollution and water quality	Dead
AB 2396	Calderon	Metropolitan water districts	Dead
AB 2397	Calderon	Metropolitan water districts: service contracts	Dead
AB 2402	Ruskin	Water treatment methods	Dead
AB 2435	Coto	Santa Clara Valley Water District	Chapter 279
AB 2515	Ruskin	Water conservation report	Chapter 573
AB 2522	Nava	Groundwater protection	Dead
AB 2580	Walters	Orange County Sanitation District	Dead
AB 2598	Houston	Mandatory minimum penalties	Dead
AB 2619	Daucher	Orange County Water District	Chapter 218
AB 2637	Vargas	Sewage	Dead
AB 2700	Saldana	San Diego RWQCB: international wastewater treatment	Dead
AB 2701	Blakeslee	San Luis Obispo County	Chapter 360
AB 2710	Koretz	Backflow protection	Dead
AB 2779	Strickland	Sewer System Maintenance Fund	Dead
AB 2804	Salinas	SMAQMD	Chapter 425
AB 2901	Wolk	Mercury monitoring and remediation	Dead
AB 2972	Nava	Oil and gas development in state waters	Chapter 298
AB 3034	Blakeslee	State Water Plan	Dead
ACR 84	Walters	Desalination	Dead
SB 21	Florez	San Joaquin River restoration	Dead
SB 31	Florez	Water fees	Dead
SB 113	Machado	California Bay Delta Authority Act	Dead
SB 120	Florez	Water quality: sewage sludge	Dead
SB 187	Soto	Drinking water contaminants	Vetoed
SB 200	Machado	Sacramento-San Joaquin Delta Conservancy Program	Dead

SB 201	Simitian	Marine aquaculture	Chapter 36
SB 240	Margett	Water rights	Dead
SB 350	Machado	San Joaquin River restoration and water management	Dead
SB 474	Runner	Water quality control: state policy	Dead
SB 475	Runner	Santa Clara River	Chapter 393
SB 497	Simitian	Discharge of ballast water	Chapter 292
SB 511	Hollingsworth	County water authority	Chapter 243
SB 574	Campbell	Public utilities: water companies	Dead
SB 523	Aanestad	Water quality: civil penalties	Dead
SB 646	Kuehl	Water discharge requirements	Dead
SB 729	Simitian	Water quality	Chapter 293
SB 831	Machado	Stockton Metropolitan Area Flood Control Project	Dead
SB 866	Kehoe	Water use measurement information	Dead
SB 873	Aanestad	State Water Plan	Dead
SB 931	Florez	Pollution control authority	Dead
SB 956	Simitian	San Francisco Bay/Sacramento-San Joaquin Delta	Dead
AB 978	Ashburn	Water use: military land and housing areas	Dead
SB 1070	Kehoe	Water quality information	Chapter 750
SB 1109	Cmte on NR&W	Salton Sea restoration study	Dead
SB 1242	Lowenthal	Integrated Regional Water Management Planning Act	Dead
SB 1251	Alquist	Flood and stormwater management planning	Dead
SB 1347	Machado	Water: solar evaporators	Chapter 309
SB 1425	Kuehl	Groundwater extraction	Chapter 374
SB 1434	Kuehl	Ocean protection	Dead
SB 1527	Aanestad	Flood protection work	Dead
SB 1557	Ducheny	Coachella Valley Water District	Chapter 671
SB 1574	Kuehl	Sacramento-San Joaquin Delta	Chapter 535
SB 1617	McClintock	Streambed alternation agreements	Dead
SB 1628	Perata	San Francisco Bay Area Water Transit Authority	Dead
SB 1632	Denham	State Water Plan	Dead
SB 1640	Kuehl	Water facility delivery capability	Vetoed
SB 1701	Migden	Tidelands and submerged lands	Chapter 403
SB 1733	Aanestad	Water quality	Chapter 404
SB 1795	Machado	Groundwater storage	Dead
SB 1796	Florez	Flood protection	Vetoed
SB 1843	Cmte on	San Gabriel and Lower Los Angeles Rivers and	Chapter 294

SB 1845	NR&W Kuehl	mountains Conservancy Ocean Protection Council	Chapter 295
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CHAPTERED LEGISLATION

[AB 32\(Nunez\)](#) California Global Warming Solutions Act of 2006, Chapter 488

Summary Requires the state ARB to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with this program, as specified. The bill would require the state ARB to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020, as specified. The bill would require the state ARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions, as specified. The bill would authorize the state board to adopt market-based compliance mechanisms, as defined, meeting specified requirements. The bill would require the state ARB to monitor compliance with and enforce any rule, regulation, order, emission limitation, emissions reduction measure, or market-based compliance mechanism adopted by the state ARB, pursuant to specified provisions of existing law. The bill would authorize the state ARB to adopt a schedule of fees to be paid by regulated sources of greenhouse gas emissions.

[AB 87\(Bermudez\)](#), Trapping licenses: exemptions, Chapter 406

Summary: Exempts a structural pest control operator licensed by the Structural Pest Control Board and a person or business licensed or certified by the DPR from the licensing requirement for trapping specified mammals, as provided.

[AB 127\(Nunez\)](#) Kindergarten-University Public Education Facilities Bond Act of 2006, Chapter 35

Summary: Would enact the Kindergarten-University Public Education Facilities Bond Act of 2006 to authorize \$10,416,000,000 of state general obligation bonds to provide aid to school districts, county superintendents of schools, county boards of education, the California Community Colleges, the University of California, the Hastings College of the Law, and the California State University to construct and modernize education facilities.

[AB 140\(Nunez\)](#) Disaster Preparedness and Flood Prevention Bond Act of 2006, Chapter 33

Summary: Would enact the Disaster Preparedness and Flood Prevention Bond Act of 2006, which would, if approved by the voters, authorize the issuance and sale of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects.

[AB 158\(Bermudez\)](#) Railroads: safety study, Chapter 697

Summary: Would create the Special Railroad Safety Task Force, comprised of specified members. The bill would require the task force to meet monthly from January 2007 to December 2007, inclusive, and to study certain railroad safety issues, and make recommendations for improving railroad safety measures. The bill would require the task force, no later than 90 days after its last meeting, to submit a written report to the commission setting forth its findings and recommendations relating to railroad safety issues. The bill would require the commission to include the findings and recommendations of the task force in its July 1, 2008, report to the Legislature on sites on railroad lines that are found to be hazardous. These provisions would become inoperative on July 1, 2008, and would be repealed on January 1, 2009, unless a later enacted statute deletes or extends that date.

[AB 159\(Salinas\)](#) Irrigation districts: directors, Chapter 847

Summary: in the case of a formation election, would require a director to be a resident, landowner, and voter in the proposed district. The bill, under certain circumstances, would exempt a director from the landownership requirement, but a director appointed or elected before January 1, 2007, would continue to be subject to existing qualification requirements until the expiration of his or her term.

AB 289(Chan) Chemicals: testing methods, Chapter 699

Summary: Would authorize a state agency, as defined, to request a manufacturer, as defined, of a chemical, as defined, to provide the state agency with specified information regarding the chemical. The bill would provide that the information that a state agency may request, includes, but is not limited to, an analytical test method for that chemical in a specified matrix, the octanol-water partition coefficient and bioconcentration factor for humans for the chemical, and other information relevant to the fate and transport of the chemical into the environment. The bill would require the manufacturer to provide the requested information within one year, and would specify actions that a state agency is required to take before making the request. The bill would provide a procedure for when a manufacturer believes that information provided pursuant to a state agency request involves the release of a trade secret.

AB 371(Goldberg) Water recycling, Chapter 541

Summary: Would require a recycled water producer to notify the Department of Transportation and the Department of General Services if the recycled water producer determines that, within 10 years, it proposes to provide recycled water for use for state landscape irrigation that meets certain conditions and would require all pipe installed by those state agencies for landscape irrigation within the area identified by the notice to meet prescribed requirements.

AB 679(Calderon) Air resources: diesel fuel, Chapter 11

Summary: Would authorize the state board to designate a fuel as a compliant diesel fuel, as specified. The bill would also require the state board to convene a panel of interested parties to develop a test protocol for the evaluation of California Air Resources Board (CARB) diesel fuel, and to recommend to the executive officer of the state board a subsequent test program that measures the emissions benefits of CARB diesel fuel. The bill would also require the state board, no later than December 31, 2007, to complete the test program and to submit the results of the test program to specified committees of the Legislature.

AB 797(Wolk) Sacramento-San Joaquin Delta, Chapter 547

Summary: Would, for the purposes of facilitating long-term agricultural land conservation in the Sacramento-San Joaquin Delta, authorize an agricultural conservation easement located within the primary or secondary zone of the delta to be related to contract rescissions in any other portion of the secondary zone without respect to county boundary limitations, as specified.

AB 798(Wolk) Delta levee maintenance, Chapter 548

Summary: Would additionally state the intent of the Legislature to appropriate from the fund additional moneys as they may become available from proceeds from the sale of bonds issued by the state. The bill would abolish the Delta Flood Protection Fund on July 1, 2010.

AB 984(Laird) Tamarisk plant control, Chapter 710

Summary: Would authorize the department, in collaboration with other entities, to cooperate with the federal government, other Colorado River Basin states, and other entities for the purpose of preparing a plan to control or eradicate tamarisk plants in the Colorado River watershed. The bill would require the department, the Department of Food and Agriculture, the Department of Fish and Game, and the Colorado River Board of California to seek to collaborate with affected California water agencies and other appropriate entities in that preparation.

AB 1039(Nunez) Government: environment: bonds: transportation, Chapter 31

Summary: Would exempt specified levee, and highway and bridge seismic retrofit projects, from CEQA. To the extent that the bill would require a local agency to determine whether the exemption applies to a project, the bill would impose a state-mandated local program.

AB 1245(Wolk) West Sacramento Area Flood Control Agency, Chapter 553

Summary: Existing law authorizes a joint powers entity created pursuant to an agreement entered into by the City of West Sacramento and specified reclamation districts to exercise the authority granted to reclamation districts under specified provisions of law. This bill additionally would grant the joint powers entity the authority to accomplish the purposes and projects necessary to achieve and maintain at least a

200-year level of flood protection and, prior to January 1, 2009, to issue debt to finance those purposes and projects and thereafter continue to levy special assessments to repay that indebtedness, as specified.

AB 1302(Horton, Jerome) Office of Administrative Law: regulations, Chapter 713

Summary: Would require an agency that is adopting an emergency regulation to send, at least 5 working days prior to submission of an emergency regulation to the office, a notice of proposed emergency action to every person who has filed a request for notice of regulatory action with the agency unless the emergency situation clearly poses such an immediate, serious harm that delaying action to allow public comment would be inconsistent with the public interest.

AB 1333(Frommer) Grease waste haulers, Chapter 186

Summary: Would prohibit a grease waste hauler from removing grease from a grease trap or grease interceptor unless the hauler removes all grease, greasy liquid, water, and solids from the grease trap or grease interceptor each time of removal, except as specified. The bill would subject a grease waste hauler to a civil penalty for a violation of these provisions and would allow for the enforcement of these provisions only against the grease waste hauling company.

AB 1341(Committee on Environmental Safety and Toxic Materials) Financing authorities: grants and loans, Chapter 714

Summary: Would amend those acts to require a project applicant to provide documentation, before the authority approves the issuance of bonds for the project, that the project has complied with CEQA, or is not a project under CEQA.

AB 1381(Nunez) School district governance: Los Angeles Unified School District: Gloria Romero Educational Reform Act of 2006, Chapter 299

Summary: Would authorize the Los Angeles Unified School District Board of Education to appoint the inspector general and to make all employment decisions related to the inspector general in a manner consistent with any existing contracts under which the inspector general is employed. The bill would prohibit the dismissal of the inspector general, except for good cause. The bill would require the inspector general to be appointed for a term of 3 years.

AB 1387(Jones) CEQA: residential infill projects, Chapter 715

Summary: Would provide that, except as specified, if a residential project, not exceeding 100 units, with a minimum residential density of 20 units per acre, and within one-half mile of the transit stop, on an infill site, as defined, in an urbanized area, as defined, is in compliance with the traffic, circulation, and transportation policies of the general plan, applicable community plan, applicable specific plan, and applicable ordinances of the city or county, and the city or county with jurisdiction over the area where the project is located requires that the mitigation measures approved in a previously certified project area environmental impact report, as the bill would define that term, applicable to the project be incorporated into the project, the city or county is not required to comply with specified requirements with respect to the making of any findings regarding the significant environmental effects from impacts of the project on traffic at intersections, or on streets, highways, or freeways.

AB 1407(Lieber) State-owned Bay Area toll bridges: HOV lanes, Chapter 606

Summary: Would modify certain of the duties required of local and regional agencies relative to that expenditure plan, thereby imposing a state-mandated local program.

AB 1430(Goldberg) Air Contaminants, Chapter 851

Summary: Would require the state board's environmental justice advisory committee to review each updated methodology.

AB 1535(Nunez) School instructional gardens: pupil nutrition, Chapter 437

Summary: Would revise those provisions to make grants and technical assistance available to charter schools as well as school districts and county offices of education. The bill, instead of requiring the department to consult with specified entities, would require the Superintendent of Public Instruction to

convene an interagency working group on instructional school gardens, which would include, but not be limited to, representatives of the State Department of Education, the Department of Food and Agriculture, the State Department of Health Services, and the CIWMB. The bill would require that interagency working group to advise the Superintendent on, among other things, effective and efficient means of encouraging school districts, charter schools, and county offices of education to establish and maintain instructional school gardens. The bill would authorize the Superintendent to establish an advisory group involving other agencies and groups with expertise in instructional school gardens, which would include, but not be limited to, the California Environmental Education Interagency Network. The bill would provide that the purpose of that advisory group is to support program efforts, as specified. The bill would require the Superintendent to use existing resources to establish the interagency working group and advisory group and would require the Department of Food and Agriculture, the State Department of Health Services, and the CIWMB to use existing resources for their participation in the working group.

AB 1548(Pavley) Instructional materials: electronic format, Chapter 717

Summary: Would as a pilot program and until January 1, 2016, require the department to authorize 12 schools to request a publisher that makes basic instructional materials available to a school district in a hard copy format to make instructional materials available in an electronic multimedia format upon adoption of instructional materials after January 1, 2000, by the state board or by the governing board of a selected school district that maintains a high school. The bill would grant authority to the state board to authorize a participating school to use alternate instructional materials in an electronic multimedia format, as described, if a publisher is unable to provide adopted instructional materials in an electronic multimedia format, as specified. The bill would require the department, before authorizing a school to participate in the pilot program, to certify that the school district that is applying on behalf of the school has no unmet needs for instructional materials. The bill would provide for other requirements relating to the pilot program. By expanding the purposes for which moneys from the State Instructional Materials Fund may be used, the bill would make an appropriation. T

AB 1559(Frommer) Urban Park Act of 2006, Chapter 498

Summary: Would change the name of the act to the Urban Park Act of 2006. The bill would revise the definition of "facilities" to include community gardens. The bill would modify the criteria for awarding grants, and modify the criteria that the department is required to consider in assigning a higher priority or not assigning a lower priority to a grant application. The bill would also require the department to maintain an application and grant award schedule as long as funding is available.

AB 1632(Blakeslee) Energy: planning and forecasting, Chapter 722

Summary: Would require the commission, as part of its electricity and natural gas forecasting and assessment activities, to compile and assess existing scientific studies, as specified, to determine the potential vulnerability, to a major disruption due to aging or a major seismic event, of large baseload generation facilities of 1,700 megawatts or greater, including a specified analysis of the impact of a major disruption on system reliability, public safety, and the economy. The bill would also require the commission, in absence of a long-term nuclear waste storage facility, to assess the potential state and local costs and impacts associated with accumulating waste at California's nuclear powerplants, and to further assess other key policy and planning issues affecting the future role of nuclear powerplants in the state. The bill would require the commission to adopt the assessment by November 1, 2008, and include the assessment in the 2008 energy policy review.

AB 1681(Pavley) Lead-containing jewelry, Chapter 415

Summary: Would prohibit a person, on and after March 1, 2008, from manufacturing, shipping, selling, or offering for sale jewelry for retail sale in the state, unless the jewelry is made entirely from specified materials. The bill would also prohibit any person, on and after September 1, 2007, from taking those actions with regard to children's jewelry, as defined, unless the children's jewelry is made entirely from certain specified materials.

AB 1688(Niello) Illegal dumping enforcement officers, Chapter 267

Summary: Would also provide that nothing in its provisions may be construed to award peace officer retirement benefits to illegal dumping enforcement officers.

AB 1752(Levine) Environmental quality, Chapter 725

Summary: if SB 1733 is enacted and becomes operative, would provide that those changes made by SB 1733 shall become operative on July 1, 2007, and would require the POTW, prior to the state board or regional board making its determination, to demonstrate to the satisfaction of the state board or the regional board that a specified financing plan is designed to generate sufficient funding to complete the compliance project within a specified time period.

AB 1801(Laird) Budget Act of 2006, Chapter 47

Summary: Would make appropriations for support of state government for the 2006-07 fiscal year.

AB 1803(Committee on Budget) Public resources, Chapter 77

Summary: Would instead require the department to report the amount and source of funding for the major programmatic functions of the department.

AB 1806(Committee on Budget) State government, Chapter 69

Summary: Would delete the January 1, 2007, inoperative date of the authority to establish, charge, and collect, and the requirement to assess, a fee pursuant to these provisions, thus making the authority and requirement permanent.

AB 1811(Laird) Budget Act of 2006, Chapter 48

Summary: Would amend and supplement the Budget Act of 2006 by revising items of appropriation for the judicial branch; the Secretary for Business, Transportation and Housing; the Office of Emergency Services; the Department of Transportation; the Department of Fish and Game; the San Francisco Bay Conservation and Development Commission; the Department of Water Resources; the State Water Resources Control Board; the State Department of Health Services; the Managed Risk Medical Insurance Board; the Department of Parks and Recreation; the State Air Resources Board; the Department of Toxic Substances Control; the Department of Corrections and Rehabilitation; the State Department of Education; the University of California; the California State University; the Department of Veterans Affairs; local government financing; the repayment of state-mandated local costs; and the Deficit Reduction Reserve Account.

AB 1812(Committee on Budget) Budget Act of 2006, Chapter 733

Summary: Would amend and supplement the Budget Act of 2006 by revising items of appropriation relating to the Office of Emergency Services, the Department of General Services, the Department of Forestry and Fire Protection, the State Water Resources Control Board, and the State Department of Social Services.

AB 1813(Committee on Budget) Public resources: hazardous materials tax, Chapter 344

Summary: Would specify that specified amendments to existing law described above shall apply for the 2007 calendar year.

AB 1870(Lieber) Air pollution: motor vehicle inspection and maintenance, Chapter 761

Summary: Would require the Department of Consumer Affairs to incorporate a visible smoke test into the motor vehicle inspection and maintenance program by January 1, 2008, so that any visible smoke from the tailpipe or crankcase of a motor vehicle during an inspection would result in a failure of the test. The bill would provide that steam resulting from condensation by itself shall not lead to an inspection failure. The bill would authorize a motor vehicle owner who disputes the failure of a visible smoke test to seek resolution of the matter by contacting the state-designated referee. The bill would require the department, in consultation with the State Air Resources Board and interested parties, to adopt regulations to implement these provisions.

AB 1881(Laird) Water conservation, Chapter 559

Summary: Would provide that the architectural guidelines of a common interest development shall not prohibit or include conditions that have the effect of prohibiting the use of low water-using plants as a group.

AB 1925(Blakeslee) Energy: electricity: carbon dioxide, Chapter 471

Summary: Would require the commission, on or before November 1, 2007, and in coordination with the Division of Oil, Gas, and Geothermal Resources of the Department of Conservation and the California Geological Survey, to submit a report to the Legislature containing recommendations for how the state can develop parameters to accelerate the adoption of cost-effective geologic sequestration strategies for the long-term management of industrial carbon dioxide.

AB 1935(Bermudez) Railroads: maintenance and safety, Chapter 885

Summary: Would require that the inspection of railroad locomotives, equipment, and facilities occur not less frequently than every 120 days, and commencing July 1, 2008, in addition to those minimum inspections, that the commission conduct focused inspections, as prescribed, of railroad yards and track, either in coordination with the Federal Railroad Administration, or as the commission determines to be necessary.

AB 1953(Chan) Lead plumbing, Chapter 853

Summary: Would commence on January 1, 2010, revise this prohibition to apply to any pipe or plumbing fitting, or fixture intended to convey or dispense water for human consumption, but would exclude from this prohibition specified devices.

AB 1969(Yee) Electrical corporations: water agencies, Chapter 731

Summary: Would require every electrical corporation to file with the commission a standard tariff for renewable energy output produced at an electric generation facility, as defined, that, among other things, is an eligible renewable energy resource. The bill would require the electrical corporation to make this tariff available to public water or wastewater agencies that own and operate an electric generation facility within the service territory of the electrical corporation, upon request, on a first-come-first-served basis, until the combined statewide cumulative rated generating capacity of those electric generation facilities equals 250 megawatts. The bill would specify that each electrical corporation would only be required to offer service or contracts under the bill until that electrical corporation meets its proportionate share of the 250 megawatts based on the ratio of its peak demand to the total statewide peak demand of all electrical corporations.

AB 1992(Canciamilla) Solid waste: dumping, Chapter 416

Summary: Would repeal the definition of garbage and instead use the term "solid waste," as the bill would define that term. The bill would provide that the placing, depositing, dumping, or overflow of solid waste and the other described substances on private property, without the owner's consent, rather than, into or upon private property which the public is admitted by easement, license, or otherwise, is a misdemeanor. The bill would prohibit placing, depositing, or dumping of solid waste upon private property by the owner or a person authorized by the owner, of the private property, from creating a nuisance, as determined by specified entities. The bill would include in the list of entities that determine whether the placing, depositing, or dumping of solid waste is a public health and safety hazard, nuisance, or fire hazard, a local enforcement agency. If AB 1688 is enacted and becomes effective on or before January 1, 2007, the bill also would include in the list of persons who are required to enforce these provisions, a person regularly employed as an investigator or inspector for illegal dumping enforcement, as specified. Because the bill would change the definition of a crime, the bill would impose a state-mandated local program.

AB 2021(Levine) Public utilities: energy efficiency, Chapter 734

Summary: Would require the Energy Commission, on or before November 1, 2007, and every 3 years thereafter, in consultation with the commission and local publicly owned electric utilities, in a public process that allows input from other stakeholders, to develop a statewide estimate of all potentially achievable cost-effective electricity and natural gas efficiency savings and establish statewide annual targets for energy efficiency savings and demand reduction over 10 years. The bill would require the commission to base its estimate at least in part on the most recent targets established by the commission and local publicly owned electric utilities. The bill would require the Energy Commission to include in the integrated energy policy report, for each electrical corporation and each gas corporation, a comparison of

the public utility's annual energy efficiency targets, and the public utility's actual energy efficiency savings and demand reductions.

AB 2022(Ruskin) Product safety: portable gasoline containers, Chapter 473

Summary: Would prohibit, with specified exception, the sale, or possession for sale, portable gasoline containers that are not designed according to specified child-resistant standards and approved and listed by the State Fire Marshal.

AB 2041(Nava) Public safety: communications, Chapter 855

Summary: Would add the Military Department, State Department of Health Services, and Department of Finance to, and remove the Department of the Youth Authority from, the committee and would require that a representative of the Office of Emergency Services serve as chairperson. It would require that interoperability be developed to include first response agencies, as defined, as the committee deems appropriate. It also would require the committee to meet at least twice a year, with one being a joint meeting with the California Statewide Interoperability Executive Committee. =

AB 2067(Oropeza) Smoking: enclosed spaces of buildings, Chapter 736

Summary: Would define "covered parking lot," for purposes of the exclusion from the prohibition with respect to public buildings, to exclude lobbies, lounges, waiting areas, elevators, stairwells, and restrooms that are a structural part of the covered parking lot, thereby making these areas subject to the smoking prohibition.

AB 2140(Hancock) General plans: safety element, Chapter 739

Summary: Would prohibit the state share for any eligible project from exceeding 75% of total state eligible costs unless the local agency is located within a city, county, or city and county that has adopted a local hazard mitigation plan in accordance with the federal Disaster Mitigation Act of 2000 as part of the safety element of its general plan, in which case the Legislature may provide for a state share of local costs that exceeds 75% of total state eligible costs.

AB 2144(Montanez) Hazardous materials: land use, Chapter 562

Summary: Would revise the public participation procedures that are required to be included in the response plan, including requiring the agency, 30 days before taking action on the response plan, to notify all other appropriate governmental entities and local agencies, including, but not limited to, the department, the regional board, or a redevelopment agency, that is not party to the response plan regarding the proposed response action. The bill would also require the agency to place a notice in a newspaper of general circulation, as specified, and post notice of the proposed response plan on the site.

AB 2147(Harman) Solid waste: plastic food and beverage containers, Chapter 349

Summary: Would impose similar requirements, with regard to plastic food or beverage containers, as defined, for purposes of prohibiting a person from selling a plastic food or beverage container that is labeled as "biodegradable," "compostable," "degradable," or as otherwise specified, unless, at the time of the sale, the container meets the ASTM standard specification for compostable plastics, as specified, for the term used on the label.

AB 2155(Wolk) Hazardous waste: treatment: pharmaceutical activities, Chapter 741

Summary: Would additionally exempt pharmaceutical neutralization activities from those requirements, if specified conditions are met with regard to the pharmaceutical manufacturing or process development activities that generate or use the hazardous waste subject to the neutralization treatment and if the owner or operator of the pharmaceutical neutralization unit complies with specified requirements. The bill would require the owner or operator to establish and maintain documentation substantiating its compliance and would require the documentation to be available for inspection upon the request of the department or the Certified Unified Program Agency.

AB 2160(Lieu) State buildings: green building, Chapter 742

Summary: Would require the Department of General Services to define a life cycle cost analysis model to be used with respect to certain state building design and construction decisions. It would require the State

Energy Resources Conservation and Development Commission, in consultation with specified state entities, to identify and develop appropriate financing and project delivery mechanisms to facilitate state building energy and resource efficient projects, including the use of the life cycle cost analysis model, and, in consultation with the state entities and specified private entities, identify obstacles to private sector commercial energy and resource efficient projects, and identify and recommend financial and other incentives to facilitate private sector commercial building energy and resource efficient projects. The bill would also require the commission to report its findings and recommendations to the Green Action Team established to further the goals of a specified executive order.

AB 2189(Blakeslee) Energy: renewable energy resources, Chapter 747

Summary: Would provide that a small hydroelectric generation facility that is an eligible renewable energy resource retains eligibility if efficiency improvements at the facility undertaken after January 1, 2003, cause the generating capacity of the facility to exceed 30 megawatts, and the efficiency improvements do not result in a new or increased appropriation or diversion of water from a watercourse.

AB 2211(Karnette) Solid waste disposal site cleanup, Chapter 762

Summary: Would additionally include, as eligible for emergency action funding, solid waste facilities and sites involving solid waste handling. The bill would authorize the board to expend funds directly for the cleanup of a publicly owned site only if the board determines that the public entity lacks resources or expertise to timely manage the cleanup itself. The bill would require the board to consider additional specified factors in considering partial grants that provide greater than 50% of the funds directly for the cleanup. The bill would delete the requirement that the grants provided be matching grants and would instead authorize the board to provide partial grants to public entities, to assist in site cleanup.

AB 2237(Karnette) Harbors and ports: security, Chapter 503

Summary: Would require the report to include information on policies, projects, and funding necessary to protect the state's harbor facilities, port facilities, and the commercial marine transportation sector from terrorist attack. The bill would require the director to consult with individuals and businesses connected to harbors and ports, and would specify the contents of the report as it relates to harbors and ports.

AB 2253(Hancock) Vehicles: illegal dumping, Chapter 765

Summary: Would authorize a court to impound a vehicle used in the illegal dumping of waste matter, as defined, or harmful waste matter, as defined, for a time period of up to 6 months, upon the misdemeanor or felony conviction of a person for the illegal dumping of waste matter or harmful waste matter, if the person is the registered owner of the vehicle or registered owner's agent, and has one or more prior convictions, for illegally dumping waste matter or harmful waste matter, that are not infractions. The bill would make this impoundment procedure inapplicable, if there is a community property interest in the vehicle that is owned by a person other than the defendant under specified circumstances.

AB 2264(Pavley) Purchases: vehicles: state fleet, Chapter 767

Summary: Would require, on or before June 1, 2007, the department in consultation with the Energy Commission to establish a minimum fuel economy standard, as specified, for the purchase of passenger vehicles and light duty trucks for the state fleet that are powered solely by internal combustion engines utilizing fossil fuels. The bill would require that on or after January 1, 2008, new state fleet purchases of these vehicles by all state entities, as defined, would have to meet this minimum fuel economy standard. The bill would exempt authorized emergency vehicles and certain other identified vehicles from this requirement. The bill would also exempt vehicles modified for the purpose of providing services to disabled individuals, as specified, or as a reasonable accommodation to a disabled employee, as defined. The bill would exempt the University of California from its provisions, except to the extent that the Regents of the University of California, by appropriate resolution, make those provisions applicable.

AB 2274(Karnette) Harbors and ports: emergency response and evacuation plans, Chapter 859

Summary: Would require local, regional, and statewide agencies responsible for emergency preparation and response activities to work with all harbor agencies, as defined, within their jurisdiction to ensure integration of the harbor agencies' emergency preparation, response, and evacuation procedures with the agencies' activities.

AB 2276(Pavley) Ozone: indoor air cleaning devices, Chapter 770

Summary: Would require the state board, on or before December 31, 2008, to develop and adopt regulations, consistent with federal law and including specified elements, to protect public health from ozone emitted by indoor air cleaning devices, including both medical and nonmedical devices, used in occupied spaces. Because a violation of these regulations would come within the existing provision making a violation of state board regulations a crime, this bill would create a state-mandated local program by expanding an existing crime. The bill would make related legislative findings and declarations. The bill would authorize the state board to seek a preemption waiver from the federal government to authorize the state board to adopt regulations that are more stringent than federal law.

AB 2289(Ruskin) Plastic bulk merchandise containers, Chapter 461

Summary: Would require any person or entity purchasing plastic bulk merchandise containers who is in the business of recycling, shredding, or destruction of plastic bulk merchandise containers, as defined, to obtain a proof of ownership record and other identifying information from a person selling 5 or more containers, and to retain the required record for a specified time. A violation of these provisions would be a misdemeanor. By creating a new crime, the bill would impose a state-mandated local program.

AB 2296(Montanez) Solid waste: landfill: standards: closure and postclosure maintenance, Chapter 504

Summary: Would require the board to conduct a study, by January 1, 2008, to define the conditions that potentially affect solid waste landfills, in order to identify potential long-term threats, as specified. The bill also would require the board to study various financial assurance mechanisms that would protect the state from long-term postclosure maintenance or corrective action costs if a landfill owner or operator fails to meet its legal obligation to fund postclosure maintenance or corrective action during the postclosure period. The bill would require the board to consult with specified representatives when conducting the study. The bill would require the board to adopt regulations and develop recommendations, by July 1, 2009, based upon the studies.

AB 2335(Saldana) Medical waste, Chapter 166

Summary: Would also specify that the definition of "infectious agent" includes, but is not limited to, those organisms classified as Biosafety Level II, III, or IV by the federal Centers for Disease Control and Prevention.

AB 2348(Laird) Flood control: Pajaro River, Chapter 354

Summary: Would authorize the state to provide subvention funds, as prescribed, to the Counties of Monterey and Santa Cruz, or to local agencies in those counties, for a flood control project on the Pajaro River, as described, at an estimated cost to the state of the sum that may be appropriated for state cooperation by the Legislature upon the recommendation and advice of the department and upon a determination by the department that the project meets those financial aid requirements. The bill would provide that the state assumes no liability for damages that may result from the project by authorizing the provision of subvention funds, or by the appropriation of those subvention funds, as specified.

AB 2367(La Suer) Criminal penalties, Chapter 347

Summary: Would revise the above provisions providing for indeterminate sentences to make those sentences determinate, and, in some instances, explicitly providing that they are also punishable by imprisonment in a county jail, as specified. Because the provisions relating to hazardous waste were added by an initiative statute that may only be amended by the Legislature by a 2/3 vote, the bill would require that vote for enactment.

AB 2401(Karnette) Vehicles: autoettes, Chapter 322

Summary: Would require the department to register autoettes, as defined, as motor vehicles. The bill would also require the owner of the autoette to remove the license plates from the vehicle and return them to the department if the vehicle is removed from a natural island, as described.

AB 2435(Coto) Santa Clara Valley Water District, Chapter 279

Summary: Would authorize the district to take action to preserve open space in the county and to support the county park system in a manner that is consistent with specified powers of the district. The bill would require the district board to appoint a person to fill a vacancy in the office of an appointed director. The bill, on and after January 1, 2010, would require the district to consist of 5 board members who are elected from county supervisorial districts. The bill would prescribe requirements for the filling of a vacancy in the office of any of those elected board members.

AB 2449(Levine) Recycling: plastic carryout bags, Chapter 845

Summary: Would require the operator of a store, as defined, to establish an at-store recycling program that provides an opportunity for a customer of the store to return clean plastic carryout bags to that store. The bill would require a plastic carryout bag provided by a store to have specified information printed or displayed on the bag, and would require the placement of a plastic carryout bag collection bin in each store that is visible and easily accessible to the consumer. The bill would also require the operator of a store to make reusable bags, as defined, available to customers, for purchase.

AB 2485(Jones) Fish and game: sea otters, Chapter 296

Summary: Would state the Legislature's intent to establish a research program focused on reducing sea otter mortality from nonpoint source pollution, and developing water and wastewater treatment technologies for pathogens or other causes affecting sea otter mortality. The bill would modify the fines and penalties for a violation of the above described existing laws relating to marine mammals and fully protected mammals to provide for the imposition of a fine of up to \$25,000 for each unlawful taking in violation of those provisions. The bill would also make legislative findings and declarations relating to cat feces and sea otter mortality, and would require any cat litter offered for sale in the state to contain one of 2 alternative statements regarding the proper disposal of cat feces. Because a violation of this requirement would be a crime under other, existing provisions that generally make violations of the Fish and Game Code a crime, the bill would create a state-mandated local program by creating a new crime.

AB 2515(Ruskin) Water conservation: report, Chapter 573

Summary: Would require the PUC to prepare and submit to the Legislature, by June 30, 2008, a report that describes the progress achieved toward implementing the policy objectives of the PUC's Water Action Plan, adopted December 15, 2005, and to include specified matter in the report.

AB 2538(Wolk) Transportation funds: planning and programming: regional agencies, Chapter 821

Summary: Would instead authorize each transportation planning agency or county transportation commission to request and receive up to 5% of those funds for the purposes of project planning, programming, and monitoring. The bill would change the references to "regional improvement funds" to instead refer to "county share."

AB 2573(Leno) Electricity: Hetch Hetchy Water and Power solar generation, Chapter 786

Summary: Would authorize 2 different HHWP photovoltaic electricity generation mechanisms. The existing authorization, as modified, would apply to HHWP at-site solar generation, as defined. The bill would provide that HHWP at-site solar generation may not, exclusive of qualifying remote load, as defined, exceed 15 megawatts of peak generation capacity in total. The bill would additionally authorize the City and County of San Francisco to use HHWP remote solar generation, as defined, to supply electricity to qualifying remote load by designating those facilities to be served by HHWP remote solar generation. The bill would delete the provision that no single photovoltaic generation project may exceed one megawatt of peak generation capacity. The bill would require that PG&E accept any electricity exported to the grid by HHWP remote solar generation, up to the amount of electricity contemporaneously being used by the qualifying remote load, and to treat the electricity accepted as behind the meter generation that offsets the electrical usage of qualifying remote load. The bill would make the City and County of San Francisco responsible for scheduling the electricity exported to the grid from HHWP remote solar generation. The bill would require that HHWP remote solar generation sites and qualifying remote load sites have meters capable of measuring exports and usage of electricity sufficient to determine credits or offsets and would make the City and County of San Francisco responsible for the cost of those meters. The bill would require that the appropriate regulatory agency ensure that the

delivery of electricity by HHWP remote solar generation to qualifying remote load, and the granting of offsets to the City and County of San Francisco, not result in a shifting of costs to bundled service customers.

[AB 2582\(Mullin\)](#) CALGOLD program, Chapter 283

Summary: Would require the CALGOLD program to be reviewed periodically and, when necessary, updated to assist businesses in the state that would benefit from information on permitting and regulatory compliance, including emerging industries and life sciences industries.

[AB 2587\(Liu\)](#) Contaminated property: methamphetamine cleanup: mobilehomes: recreational vehicles, Chapter 789

Summary: Would repeal the exclusion of those parks, communities, mobilehomes, and manufactured homes from the act and would instead specify that property, for purposes of the act, includes those parks and communities and a mobilehome or manufactured home located in a mobilehome park or a special occupancy park, as defined, and a recreational vehicle that is sited in a mobilehome park or special occupancy park.

[AB 2591\(Keene\)](#) State agencies: accounts: reports, Chapter 506

Summary: Would until July 1, 2010, require specified state agencies to submit to the department an annual report on the status of that agency's liquidated and delinquent accounts as of the end of the previous fiscal year and efforts made by the agency to collect those accounts. It would define liquidated and delinquent accounts for this purpose as any loans, accounts receivable, fines, assessments, penalties, or other monetary obligation owed to a state agency that is unpaid for 180 or more days after the obligation was first due to that state agency. It would require the director of the department, by no later than February 28 of each year, to submit to the Legislature a report on the status of liquidated and delinquent accounts of state agencies. It would specify that these requirements apply only if sufficient existing resources of the agencies and department are available for this purpose.

[AB 2600\(Lieu\)](#) Vehicles: HOV lanes, Chapter 614

Summary: Would extend these provisions until January 1, 2011, or until the Director of Transportation determines that federal law does not authorize the state to allow these low-emission and hybrid vehicles to so operate in HOV lanes, whichever occurs first.

[AB 2619\(Daucher\)](#) Orange County Water District, Chapter 218

Summary: Would require the county assessor and county tax collector to perform the duties of those respective officers on behalf of the district. The bill would delete the provision relating to the service of the officers and employees at the pleasure of the board.

[AB 2648\(Matthews\)](#) Pesticides, Chapter 93

Summary: Would make clarifying, technical cleanup amendments to statutes that provide parameters for evaluation of scientific data submitted to support pesticide product registrations by the DPR.

[AB 2701\(Blakeslee\)](#) San Luis Obispo County, Chapter 360

Summary: Would authorize the County of San Luis Obispo to undertake any efforts necessary to construct and operate a wastewater collection and treatment system to meet the needs of the Los Osos Community Services District, as specified, and to impose and collect user fees and other charges to cover the reasonable costs of any wastewater collection or treatment services provided pursuant to these provisions.

[AB 2723\(Pavley\)](#) Electricity: solar energy: low-income residential housing, Chapter 864

Summary: Would prohibit the establishment of the California Solar Initiative from resulting in the diversion of any moneys from any existing programs for low-income ratepayers, or from cost-effective energy efficiency or demand response programs. The bill would require the PUC to ensure that not less than 10% of the funds for the California Solar Initiative are utilized for the installation of solar energy systems, as defined, on low-income residential housing, as defined. The bill would authorize the PUC to

incorporate a revolving loan or loan guarantee program into the California Solar Initiative for low-income residential housing.

AB 2746(Blakeslee) Natural resources: mitigation for adverse impacts, Chapter 577

Summary: Would notwithstanding any other provision of law, allow a state or local public agency to authorize a nonprofit organization to hold title to and manage an interest in real property that the state or local public agency requires a property owner to transfer to the agency to mitigate any adverse impact upon natural resources caused by permitting the development of a project or facility, provided the nonprofit organization meets certain requirements.

AB 2778(Lieber) Electricity: self-generation incentive program, Chapter 617

Summary: Would require the commission, in consultation with the Energy Commission, to administer, until January 1, 2012, a self-generation incentive program for distributed generation resources. The program in its currently existing form, would be applicable to all eligible technologies, as determined by the commission, until January 1, 2008, except for solar technologies, which the commission would be required to administer separately, after January 1, 2007, pursuant to the California Solar Initiative. The bill, commencing January 1, 2008, until January 1, 2012, would limit eligibility for nonsolar technologies to fuel cells and wind distributed generation technologies that meet or exceed the emissions standards required under the distributed generation certification program adopted by the State Air Resources Board. The bill would require the Energy Commission, on or before November 1, 2008, in consultation with the commission and the board, to evaluate the costs and benefits of providing ratepayer subsidies for renewable and fossil fuel "ultraclean and low-emission distributed generation," as defined, as part of the Energy Commission's integrated energy policy report.

AB 2804(Salinas) Air resources: Sacramento Metropolitan Air Quality Management District, Chapter 425

Summary: Would require that each member of the Sacramento district board receive actual and necessary expenses incurred in the performance of board duties, and would authorize these members to receive compensation, to be determined by the Sacramento district board, not to exceed \$100 for each day attending the board meetings and committee meetings of the board, or upon authorization of the board, while on official business of the district. The bill would prohibit this compensation from exceeding \$6,000 in any one year. The bill would require the compensation authorized pursuant to the bill to be fixed by ordinance. Because the bill would create new duties for the Sacramento district, it would constitute a state-mandated local program.

AB 2843(Saldana) Air pollution, Chapter 798

Summary: Would delete the requirement that these provisions are repealed as of January 1, 2007. By imposing additional duties on districts, this bill would impose a state-mandated local program. The bill would delete the obsolete references to the provision in the Budget Act of 2001.

AB 2861(Ridley-Thomas) Lead abatement, Chapter 477

Summary: Would clarify that the violation relates to a violation of an order issued under these provisions. It would make the 2nd or subsequent violation a misdemeanor punishable by a fine not to exceed \$5,000, or by imprisonment for not more than 6 months in the county jail, or by both that fine and imprisonment. By creating new crimes, this bill would impose a state-mandated local program.

AB 2865(Torrico) School safety, Chapter 865

Summary: Would expand the definition of "schoolsite" as used in these provisions to also include private child day care facilities, as specified. This bill would also require property owners to notify tenants who operate a child day care facility of their pest management practices and to provide a specified notice prior to the application of pesticides. This bill would also require child day care facilities to inform contractors hired to apply pesticide at the schoolsite that the facility must comply with the act and require persons hired to apply pesticides at a child day care facility to provide specified information to the facility. This bill would require the Department of Pesticide Regulation to promote and facilitate the adoption of integrated pest management programs at child day care facilities, as specified.

AB 2972(Nava) Oil and gas leases: state waters, Chapter 298

Summary: Would require, if an application for oil and gas development in state waters that is determined to be incomplete by the commission continues to remain incomplete one year after the date of the first incomplete notice sent to the applicant by the commission, the application to be considered withdrawn. The bill would authorize the applicant to submit a new application.

AB 3021(Nunez) California-Mexico relations, Chapter 621

Summary: This bill would establish the California-Mexico Border Relations Council to consist of specified state officials. The bill would require the council to, among other things, coordinate activities of state agencies that are related to cross-border programs, initiatives, projects, and partnerships that exist within state government. The bill would, beginning January 1, 2008, require the council to annually submit a report on its activities to the Legislature.

AB 3056(Committee on Natural Resources) Beverage containers: quality incentive payments: refund values: handling fees, Chapter 907

Summary: Would authorize the department, after setting aside the money required for those other expenditures, to expend those moneys to pay an increased refund value in an amount greater than the specified refund value, but by no more than \$0.01, except as specified, until July 1, 2007, thereby making an appropriation.

SB 1(Murray) Electricity: solar energy: net metering, Chapter 132

Summary: Would require beginning January 1, 2011, a seller of production homes, as defined, to offer the option of a solar energy system, as defined, to all customers negotiating to purchase a new production home constructed on land meeting certain criteria and to disclose certain information. The bill would require the Energy Commission to develop an offset program that allows a developer or seller of production homes to forgo the offer requirement on a project by installing solar energy systems generating specified amounts of electricity on other projects. The bill would require, not later than July 1, 2007, the Energy Commission to initiate a public proceeding to study and make findings whether, and under what conditions, solar energy systems should be required on new residential and nonresidential buildings and to periodically update the study thereafter.

SB 107(Simitian) Renewable energy: Public Interest Energy Research, Demonstration, and Development Program, Chapter 464

Summary: Would revise and recast that intent language so that the amount of electricity generated per year from eligible renewable energy resources is increased to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010. The bill would make conforming changes related to this provision.

SB 162(Ortiz) State Department of Public Health, Chapter 241

Summary: Would enact the California Public Health Act of 2006, which would establish the State Department of Public Health, to be headed by the State Public Health Officer to be appointed by the Governor, subject to confirmation by the Senate and would rename the State Department of Health Services as the State Department of Health Care Services. The bill would transfer the responsibility for certain programs from the State Department of Health Services to the State Department of Public Health, and would require the State Public Health Officer to convene the Public Health Advisory Committee. The bill would retain responsibility for the remaining programs within the renamed State Department of Health Care Services, and would make conforming changes.

SB 201(Simitian) Marine finfish aquaculture: leases, Chapter 36

Summary: Would prohibit a person from engaging in marine finfish aquaculture in state waters without a lease from the commission. The bill would require leases and regulations adopted by the commission for marine finfish aquaculture to meet certain standards and establish maximum initial and renewal terms for those leases.

SB 225(Soto) Carl Moyer program, Chapter 627

Summary: Would allow the State Air Resources Board to determine a higher value that reflects state consumer price index adjustments. This bill contains other related provisions and other existing laws.

SB 354(Escutia) Hazardous materials release: remediation, Chapter 523

Summary: Would delete those exclusions from the definition of "property" in the act, and would thus include in the act, as "property," a site that is described in one of those exclusions. The bill also would correct an erroneous cross-reference.

SB 369(Simitian) Solid waste: tire recycling: rubberized asphalt concrete, Chapter 300

Summary: Would revise the eligibility qualifications for those public works grants to instead require the project to use at least 1,250 tons of rubberized asphalt concrete. The bill would require the board to annually calculate the amount of a grant, based on the amount of rubberized asphalt concrete used on a project, and would increase the maximum amount of grant money that can be awarded to \$250,000. This bill would recommence the grant program on January 1, 2007, and would make the program inoperative on June 30, 2010. The bill would extend the repeal date to January 1, 2011.

SB 372(Margett) Vehicles: size, weight, and load: local authorities: issuance of variance permits, Chapter 242

Summary: Would exclude from the list of special services that are required to be billed separately any services necessary to provide the notification required under these provisions and services that are within the scope of the local authority's ordinary duty to provide. This bill would also require a local authority, for the purposes of determining whether special services are necessitated by an unusually large or heavy load, to be governed by specific regulatory criteria adopted by the department for highways under its jurisdiction.

SB 420(Simitian) Public contracts: procurements: recycled products, Chapter 392

Summary: Would make a technical, nonsubstantive change to correct an erroneous reference to a "state agency" in the local public entity provisions regarding the procurement of recycled products.

SB 475(Runner) Drinking water: residential self-regenerating water softeners: Santa Clara River, Chapter 393

Summary: Would provide, notwithstanding that authorization, that the Santa Clarita Valley Sanitation District, or any successor district, may, by ordinance adopted subsequent to an ordinance adopted pursuant to the aforementioned provisions, require the removal of all installed residential self-regenerating water softeners, as defined, that discharge to the community sewer system, if the sanitation district makes specified findings and includes them in the ordinance.

SB 497(Simitian) Vessels: releases, Chapter 292

Summary: Would require the commission, on or before January 1, 2008, to adopt regulations that require an owner or operator of a vessel carrying, or capable of carrying, ballast water that operates in the waters of the state to implement certain interim and final performance standards for the discharge of ballast water, as specified. The bill would require the commission to disseminate, to the public, specified information regarding experimental ballast water treatment systems.

SB 503(Figueroa) Accountants: peer review: fees, Chapter 447

Summary: Would require those firms to meet the peer review requirements within 3 years of the commencement of the peer review program, rather than prior to the first registration expiration date after July 1, 2008. The bill would revise the board's review and reporting requirement to instead require the board to review and evaluate whether to implement the program and to report its findings and recommendations to the Legislature and the department no later than September 1, 2011. The bill would require the board, if it determines that the peer review program should be implemented, to identify the resources necessary for implementation and to recommend a date for commencement of the program. The bill would revise the fees to be charged by the board.

SB 511(Hollingsworth) County water authority, Chapter 243

Summary: Would require a county water authority to prepare and submit, at its own expense, a report to the Legislature, not before January 1, 2008, and not later than January 1, 2009, regarding the implementation of the procedures governing the meetings and actions of the standing committees of its board of directors that were adopted by that board in 2004 or 2005. By imposing reporting duties on a county water district, the bill would impose a state-mandated local program.

SB 729(Simitian) Water quality, Chapter 293

Summary: Would authorize the state board to carry out this authority if, after consulting with the appropriate regional board, the state board determines that it will not duplicate the efforts of the regional board.

SB 763(Lowenthal) Economic development, Chapter 634

Summary: Would authorize the department to charge a fee in connection with the costs of administering provisions relating to the targeted tax area program and the Local Agency Military Base Recovery Area Act and would require the department to also assess an enterprise zone, a manufacturing enhancement area, and a local agency military base recovery area (LAMBRA) the same fee of not more than \$10, as specified above. It would make specified findings and declarations with respect to the imposition of these fees.

SB 775(Cox) Watermasters: court appointments, Chapter 246

Summary: Would specify that, upon a petition, made to a court in which a relevant judicial decree has been entered, by the owners or governing bodies of at least 15% of the conduits lawfully entitled to directly divert water in a service area subject to that decree, the court may appoint a public agency as a watermaster to replace the watermaster appointed by the department. The bill would provide that a watermaster appointed pursuant to this provision would have the powers and duties prescribed by the court pursuant to the exercise of its judicial authority. The bill would provide that specified provisions apply to the service area for which a watermaster is appointed pursuant to this provision only to the extent determined by the court. The bill would provide that upon the appointment of the new watermaster by a court becoming effective, the department is not responsible for carrying out any of the duties and obligations of a watermaster for the service area. The bill would provide that upon the appointment of the new watermaster by a court becoming effective, and in the discretion of the department, any fixed waterflow measuring device and fixed distribution structure installed by the department would either be removed from the service area by the department, or transferred at no charge to the new watermaster appointed by the court. The bill would require that with respect to any waterflow measuring device or fixed distribution structure transferred to the new watermaster, all rights, duties, and obligations of the department would accompany the transfer and would be assumed by the new watermaster, and the new watermaster would hold the department harmless for any and all claims or causes of action relative to the items transferred that arise subsequent to the transfer.

SB 989(Committee on Environmental Quality) Hazardous material: bona fide ground tenant: remedial actions, Chapter 510

Summary: Would require a bona fide ground tenant, as defined, who seeks to qualify for immunity to make all appropriate inquiries, and enter into an agreement with an agency along with one or more specified entities that agree to take responsibility for implementation of a site assessment and response plan.

SB 1070(Kehoe) Water quality information, Chapter 750

Summary: Would require the state board, with the assistance of the regional boards, to implement a public information program on water quality matters and to place and maintain on its Internet Web site a public information file on water quality monitoring, assessment, research, standards, regulation, enforcement, and other pertinent matters, as prescribed.

SB 1206(Kehoe) Redevelopment, Chapter 595

Summary: Would revise the definition of "predominantly urbanized" and revise the conditions that characterize a blighted area. The bill would prohibit the inclusion of nonblighted parcels in a

redevelopment project area for the purpose of obtaining property tax revenue from the area without substantial justification for their inclusion.

[SB 1250\(Perata\)](#) Energy: cost-effective energy efficiency programs: renewable energy resources, Chapter 512

Summary: Would revise and recast the public interest energy research, demonstration, and development program, and the renewable energy resources program, including the purposes for which money in the Renewable Resource Trust Fund may be used, thereby making an appropriation. The bill would make other related changes, including in the Reliable Electric Service Investments Act.

[SB 1266\(Perata\)](#) Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, Chapter 25

Summary: subject to voter approval at the November 7, 2006, statewide general election, would enact the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 to authorize \$19.925 billion of state general obligation bonds for specified purposes, including high-priority transportation corridor improvements, State Route 99 corridor enhancements, trade infrastructure and port security projects, schoolbus retrofit and replacement purposes, state transportation improvement program augmentation, transit and passenger rail improvements, state-local partnership transportation projects, transit security projects, local bridge seismic retrofit projects, highway-railroad grade separation and crossing improvement projects, state highway safety and rehabilitation projects, and local street and road improvement, congestion relief, and traffic safety.

[SB 1282\(Ducheny\)](#) Transportation: federal funds: border infrastructure program, Chapter 451

Summary: Would require federal funds apportioned to the state under the coordinated border infrastructure program of SAFETEA-LU to be programmed, allocated, and expended in the same manner as other federal transportation capital funds in the state transportation improvement program, except that these federal funds would be exempt from being included in the transportation funds subject to the distribution and fair share formulas. The bill would also authorize these funds to be used for projects located in Mexico. The bill would authorize any nonfederal funds needed to match these federal funds to be programmed from any available local source or any available state transportation funding source, with the concurrence of the applicable regional transportation planning agency.

[SB 1294\(Ducheny\)](#) Geothermal wastes: exemption, Chapter 143

Summary: Would exempt from the hazardous waste control laws geothermal waste generated from the exploration, development, or production of geothermal energy that does not result from drilling for geothermal resources, if the geothermal waste meets specified management requirements and conditions, including that the waste is a hazardous waste that is exempt from the federal Resource Conservation and Recovery Act of 1976 (RCRA). Since a violation of the bill's requirements would be a crime, the bill would impose a state-mandated local program.

[SB 1305\(Figueroa\)](#) The Medical Waste Management Act, Chapter 64

Summary: Would also exclude home-generated sharps waste, as defined, from the definition of medical waste.

[SB 1344\(Chesbro\)](#) Recycling: plastic packaging containers, Chapter 144

Summary: Would revise the conditions by which a manufacture may demonstrate compliance with that 25% requirement, to delete the requirement that the volume of the post consumer material be used in determining eligibility for that alternative requirement. The bill would include the consumption or export of postconsumer materials used for the manufacture of other plastic products and plastic packaging and would delete the inclusion of postconsumer material that is exported to another country.

[SB 1347\(Machado\)](#) Water: solar evaporators, Chapter 309

Summary: Would delete the date reference for the state board's adoption of emergency regulations for a solar evaporator, revise the requirements required to be included in the regulations, and make related changes with respect to the adoption or amendment of regulations relating to solar evaporators. The bill would delete the prohibition of a regional board, on and after January 1, 2008, issuing a written notice of

authority to operate a solar evaporator, as specified. The bill would revise the definition of certain terms for purposes of regulation of solar evaporators.

SB 1360(Kehoe) County records: conservation easement registry, Chapter 531

Summary: Would delete from the Notice of Conservation Easement the statement that no fee is required by that provision.

SB 1368(Perata) Electricity: emissions of greenhouse gases, Chapter 598

Summary: Would prohibit any load-serving entity, as defined, and any local publicly owned electric utility, from entering into a long-term financial commitment, as defined, unless any baseload generation, as defined, complies with a greenhouse gases emission performance standard. The bill would require the PUC, by February 1, 2007, through a rulemaking proceeding and in consultation with the Energy Commission and the State Air Resources Board, to establish a greenhouse gases emission performance standard for all baseload generation of load-serving entities. The bill would require the Energy Commission, by June 30, 2007, at a duly noticed public hearing and in consultation with the PUC and the State Air Resources Board, to establish a greenhouse gases emission performance standard for all baseload generation of local publicly owned electric utilities. The bill would require that the greenhouse gases emission performance standard not exceed the rate of emissions of greenhouse gases for combined-cycle natural gas, as defined, baseload generation. The bill would prohibit the PUC from approving any long-term financial commitment by an electrical corporation unless any baseload generation supplied under the long-term commitment complies with the greenhouse gases emission performance standard. The bill would authorize the PUC to review any long-term financial commitment proposed to be entered into by an electric service provider or community choice aggregator in order to enforce the bill's requirements. The bill would require the PUC to adopt rules to enforce these requirements for load-serving entities and would require the PUC to adopt procedures, for all load-serving entities, to verify the emissions of greenhouse gases from any baseload generation supplied under a contract subject to the greenhouse gases emission performance standard. The bill would require the PUC, through a rulemaking proceeding and in consultation with the Energy Commission and the State Air Resources Control Board, to reevaluate and continue, modify, or replace the greenhouse gases emissions performance standard when an enforceable greenhouse gases emissions limit is established and in operation, that is applicable to load-serving entities.

SB 1379(Perata) Biomonitoring, Chapter 599

Summary: Would require the department in collaboration with the California Environmental Protection Agency to establish the California Environmental Contaminant Biomonitoring Program to monitor the presence and concentration of designated chemicals, as defined, in Californians.

SB 1384(Kuehl) Los Angeles-Exposition Metro Line light rail project, Chapter 808

Summary: Would require the construction authority, upon allocation of federal and local funds by the LACMTA for these purposes, to conduct environmental studies in addition to the financial studies and the planning and engineering necessary for completion of the project. The bill would authorize members or employees of certain local government authorities that appoint members to the construction authority to also be appointed as members of the board of the construction authority. The bill would revise the provisions requiring the LACMTA to enter into an agreement with the construction authority to hold in trust certain property and assets. The bill would require the LACMTA to assume responsibility for operating the project upon completion of the project or any of its phases.

SB 1425(Kuehl) Groundwater extraction, Chapter 374

Summary: Would modify the definition of "board-designated local area" to include any area for which the local agency has formally agreed to accept the required notice. The bill would require the board to designate an entity as a local agency if the board determines the local agency meets the specified requirements. The bill would require the local agency to make the extraction information available to governmental agencies instead of the public.

SB 1505(Lowenthal) Fuel: hydrogen alternative fuel, Chapter 877

Summary: Would declare the Legislature's intent that, when the California Hydrogen Highway Blueprint Plan is implemented, it be done in a clean and environmentally responsible and advantageous manner. The bill would require the state board to adopt regulations that will ensure that state funding for the production and use of hydrogen fuel, as described in the California Hydrogen Highway Blueprint Plan, contributes to the reduction of greenhouse gas, criteria air pollutant, and toxic air contaminant emissions, and would require these regulations to meet minimum requirements, as specified.

SB 1513(Romero) California International Trade and Investment Act, Chapter 663

Summary: Would enact the California International Trade and Investment Act. It would specify that the agency shall be the primary state agency responsible for international trade and investment activities in the state, subject to specified conditions. It would also require the secretary to develop an international trade and investment policy, complete a study on the potential role of the state in global markets, and develop an international trade and investment strategy for the state, subject to specified requirements. It would require the secretary to convene or join a statewide business partnership for international trade and investment to advise on business needs and priorities in that regard. It would also require the secretary to develop an international trade and investment office strategy and authorize the establishment of international trade and investment offices by the agency, subject to specified conditions.

SB 1557(Ducheny) Coachella Valley Water District: nonpotable water use, Chapter 671

Summary: Would prohibit a person or local public agency from using, within the district's service area, water from any source that is suitable for potable domestic use for specified nonpotable uses if the board of directors of the district determines, after notice and an opportunity for hearing, that suitable nonpotable water is available, as specified, and other requirements are met.

SB 1574(Kuehl) Sacramento-San Joaquin Delta, Chapter 535

Summary: Would authorize the committee, its members, and state agencies represented on the committee to enter into specified contracts.

SB 1587(Lowenthal) Transportation planning: federal funds, Chapter 673

Summary: Would instead require a transportation planning agency to submit an updated regional transportation plan every 4 years, except that a transportation planning agency located in a federally designated air quality attainment area or that does not contain an urbanized area could, at its option, submit an updated plan every 5 years.

SB 1686(Kuehl) Wildlife conservation: project impact on greenhouse gases, Chapter 469

Summary: Would authorize the board, when it prioritizes the use of available funds for proposed acquisitions, with regard to the priority of a proposal to acquire forestland, to consider and take into account the potential of that proposed acquisition to beneficially reduce or sequester greenhouse gas emissions. The bill would authorize the board to use information developed by the registry as a basis for determining a project's potential to reduce or sequester greenhouse gas emissions.

SB 1689(Perata) Housing and Emergency Shelter Trust Fund Act of 2006, Chapter 27

Summary: Would enact the Housing and Emergency Shelter Trust Fund Act of 2006, which, if adopted, would authorize the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks.

SB 1701(Migden) Tidelands and submerged lands: Richardson Bay, Chapter 403

Summary: Would authorize the State Lands Commission to enter into agreements with Marin County and with private parties that own privately owned tidelands subject to the public trust in Richardson Bay for the sale or exchange of lands, the settlement of boundaries, confirmation of title, and establishment of an agreed ordinary high water mark upon a finding and declaration of specified conditions by the commission. The bill would make legislative findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

SB 1733(Aanestad) Water quality, Chapter 404

Summary: Would make it easier for communities to participate in a program that allows them to improve their sewage treatment facilities as an alternative to paying Mandatory Minimum Penalties. This bill also would declare that all parties to adjudicative proceedings, including public agencies, should be afforded a fair and adequate proceeding, and would require, to the extent funding is made available, the SWRCB to provide annual training to RWCQB members for the purpose of improving adjudication processes.

SB 1814(Torlakson) CEQA: schools, Chapter 882

Summary: Would include, as a project for which a master environmental impact report may be prepared, a plan for district projects to be undertaken by a school district, that also complies with applicable school facilities requirements. By imposing new duties on a lead agency, to determine whether a project is subject to these provisions, the bill would impose a state-mandated local program.

SB 1843(Committee on Natural Resources and Water) Natural resources: California Coastal Act: San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, Chapter 294

Summary: Would eliminate the authority for these activities in wetland areas for entrance channels for boating facilities and in a degraded wetland for boating facilities.

SB 1845(Kuehl) Natural resources: Ocean Protection Council, Chapter 295

Summary: Would provide that the council additionally consists of 2 members of the public appointed by the Governor for a specified term, and with specified qualifications. The bill would provide for reimbursement for actual and necessary expenses incurred in the performance of a member's duties and compensation for each day during which a member is engaged in the performance of official duties of the council, as specified.

SCR 132(Lowenthal) Hybrid Vehicle Awareness Month, Chapter 126

Summary: Would proclaim the month of November 2006 as Hybrid Vehicle Awareness Month.

SJR 31(Lowenthal) Clean ports, Chapter 99

Summary: Would memorialize the Administrator of the United States Environmental Protection Agency, urging the administrator to adopt federal regulations limiting emissions from marine vessels, locomotives, and aircraft in order to achieve healthful air quality in California and other areas with air quality problems and to encourage the United States Environmental Protection Agency to pursue more protective regulations and incentive programs to reduce substantially the emissions from these sources, as provided.

SIGNING MESSAGES

AB 1812(Committee on Budget) Budget Act of 2006, Chapter 733

I am signing Assembly Bill 1812. However, I am vetoing \$450,000 in Section 2 by reducing Item 0690-102-0001 from \$62,399,000 to \$61,949,000, by reducing Schedule (2.5) from \$58,653,000 to \$58,203,000, and deleting Provision 8. This is a technical veto to correct a drafting error in which the final appropriation level and provisional language for the Office of Emergency Services, as approved in Chapter 48, Statutes of 2006 (AB 1811, Laird) were not reflected correctly in this bill. Sincerely, Arnold Schwarzenegger

AB 2449(Levine) Recycling: plastic carryout bags, Chapter 845

To the Members of the California State Assembly: I am signing Assembly Bill 2449 that implements a statewide plastic bag recycling program. While this bill may not go as far as some local environmental groups and cities may have hoped, this program will make progress to reduce plastics in our environment. This measure requires every retail establishment that provides its customers plastic bags to have an in store plastic bag recycling program, a public awareness program promoting bag recycling, post recycling requirements, record keeping and penalties. Because this is a statewide program the bill precludes locals from implementing more stringent local requirements. The bill sunsets in six years and this will allow locals time to develop additional programs or the legislature to consider a more far reaching solution. Sincerely, Arnold Schwarzenegger

AB 2701(Blakeslee) San Luis Obispo County, Chapter 360

To the Members of the California State Assembly: I am signing AB 2701 because this bill will resolve a long-standing conflict and controversy by providing a means to transfer responsibility for constructing a wastewater collection and treatment system from the Los Osos Community Services District to San Luis Obispo County. The current septic tank discharges from Los Osos pose serious environmental and public health concerns and the Los Osos Community Services District has failed in its responsibility to construct a wastewater collection and treatment system to protect water quality and public health. State and federal agencies have been working to address these water quality issues in Los Osos for over 30 years. The County has the resources and expertise necessary to construct the wastewater collection and treatment system and thereby address the water quality issues in Los Osos. The transfer of the responsibility for constructing the plant from the Los Osos Community Services District to the County is the only viable solution to addressing this problem. It is important that the State Revolving Fund be repaid the \$6.5 million in loan funds that the District owes the State Revolving Fund. This is important, not only financial accountability, but because failure to repay the loan adversely affects other local agencies seeking loans from the State Revolving Fund. Therefore, I am directing the State Water Resources Control Board to withhold any subsequent State Revolving Fund loan to San Luis Obispo County for this project unless the existing \$6.5 million loan has been repaid or the payment plan incorporates its full recovery. Sincerely, Arnold Schwarzenegger

AB 2778(Lieber) Electricity: self-generation incentive program, Chapter 617

To the Members of the California State Assembly: I am signing Assembly Bill 2778. This bill extends the sunset on the Self Generation Incentive Program to promote distributed generation throughout California. However, the legislation eliminated clean combustion technologies like microturbines from the program. I look forward to working with the legislature to enact legislation that returns the most efficient and cost effective technologies to the program. If clean up legislation is not possible, the California Public Utilities Commission should develop a complimentary program for these technologies. Sincerely, Arnold Schwarzenegger

SB 1070(Kehoe) Water quality information, Chapter 750

To the Members of the California State Senate: Improving water quality in California has been a cornerstone of my Environmental Action Plan. Consistent with this commitment, this year's budget included an additional \$8.5 million to enhance water quality monitoring. Senate Bill 1070 will help advance this goal by requiring the development of a comprehensive water monitoring program across state agencies. As we develop this Interagency Memorandum of Understanding and move towards implementation, we must be cognizant of developing a sound program in a cost effective and consistent manner. We should be working within the parameters of these enhanced financial resources and not increase fees on Californians. Sincerely, Arnold Schwarzenegger

SB 1305(Figueroa) The Medical Waste Management Act, Chapter 64

To the Members of the California State Senate: I am signing Senate Bill 1305 to close a loophole that allows hundreds of millions of home-generated sharps waste (needles, lancets, etc.) to be disposed in solid waste and recycling containers. Ensuring appropriate disposal of sharps waste is necessary to protect workers and the general public from exposure to contagious diseases and avoidable health and safety risks. In order to achieve the goals of this bill, California needs adequate access to disposal sites and effective public education efforts to ensure that Californians suffering from diabetes, arthritis, multiple sclerosis and other medical conditions which require the use of needles are not overly burdened by the new requirements of this bill. Therefore, I am directing the Integrated Waste Management Board and the Department of Health Services to work with the Legislature, local governments and other stakeholders to ensure there are sufficient disposal options for impacted persons to dispose of home-generated sharps and that education and out-reach efforts be conducted. Sincerely, Arnold Schwarzenegger

VETOED LEGISLATION

[AB 966\(Saldana\)](#) Water quality: California-Baja California border region.

Summary: Would have required the Cal/EPA, the SWRCB, the San Diego RWQCB, and the Colorado River Basin RWQCB, to the extent permitted by law, to take all necessary action under the act to establish effective water quality control programs for the California-Baja California border region, as defined; to work, to the extent permitted by law, with appropriate organizations on both sides of the California-Baja California border to establish cooperative water quality monitoring, inspection, and technical assistance programs to protect the environment of the border region; and, to the extent permitted by law, to work with the International Boundary and Water Commission, United States Section (IBWC), to develop feasible mechanisms to permit discharges from Mexico into California surface waters, in accordance with California water quality objectives, as specified. The bill would have required those boards to expedite the development of water quality objectives and certain "total maximum daily loads" for surface waters along the border.

[AB 974\(Nunez\)](#) Electricity: electrical transmission infrastructure planning and investment.

Summary: Would have enacted the Electrical Transmission Infrastructure Investment Act of 2006. The bill would have required that every electrical corporation that owns electrical transmission facilities plan for, and provide, sufficient electrical transmission facilities and any upgrades or expansion of those facilities as are necessary to ensure reliable transmission service to its customers. The bill would have required every electrical corporation that owns electrical transmission facilities, by July 1, 2008, and each July 1 thereafter, to provide a report to the CPUC identifying any electrical transmission facility, upgrade, or enhancement that the electrical corporation determines is necessary to ensure reliable transmission service to its customers, in coordination with the ISO.

[AB 993\(Canciamilla\)](#) Energy resources: energy efficiency training.

Summary: Would have expressed findings and declarations of the Legislature relating to California's need to reduce energy demand through energy efficiency, demand reduction, and conservation, and to increase its use of renewable energy and advanced energy technologies. The bill would have required the Chancellor of the California Community Colleges to encourage one or more Economic and Workforce Development Program regional centers to develop a course of training for energy efficiency facilities managers and to incorporate this training as part of an existing program initiative.

[AB 1012\(Nation\)](#) Vehicular air pollution control: clean alternative fuels.

Summary: Would have required the ARB, by June 30, 2008, to develop and adopt regulations that would become operative no later than January 1, 2010, that will ensure that commencing January 1, 2020, 1/2 of new passenger vehicles and light-duty trucks sold in California each year are clean alternative vehicles, as defined. The bill would have required the ARB to submit a report to the Legislature on the progress passenger vehicle and light-duty truck manufacturers have made in meeting these requirements, the progress the state has made in increasing the use of alternative fuels and reducing the state's dependence on imported petroleum and petroleum fuels, and any improvements in public health and the environment attributable to the use of clean alternative fuels, as specified.

[AB 1020\(Hancock\)](#) Transportation planning: improved travel models.

Summary: Would have required the commission, by December 31, 2007, to adopt guidelines related to the travel demand models used in the development of regional transportation plans by regional transportation planning agencies. The bill would have required a regional transportation planning agency for a region with a population of 800,000 or more to use those guidelines. The bill would have specified certain policy choices that a travel demand model shall be capable of evaluating. The bill would have required the Department of Transportation to assist the commission, on request, in this regard, and would impose other related requirements. Because the bill would have imposed additional duties on local agencies, it would have imposed a state-mandated local program.

AB 1062(Saldana) Medical experimentation: biomonitoring research informed consent.

Summary: Would have required that human subjects of biomonitoring experimentation, as defined, be informed regarding, and consent to, the intended use of any biospecimen, as defined, taken from the subject, be informed, with certain exceptions, regarding the subject's right to review all the laboratory reports and the final research results, and be informed regarding the legal rights that the subject may or may not have regarding any patentable pharmaceuticals or other products that are a byproduct of, or synthesized from, any biospecimen taken from the subject.

AB 1337(Ruskin) Environment: state buildings: green building standards.

Summary: Would have enacted the "Green" Building Act of 2006 and would have required the CIWMB by July 1, 2008, to adopt regulations for green building standards for the construction or renovation of state buildings, as defined. The bill would have required the board, when adopting the regulations, to consult with appropriate state agencies, and specified private and public sector organizations and the public, hold at least 2 public workshops, and consider existing relevant green building standards and guidelines.

AB 2092(Hancock) Hazardous substance release: vapor intrusion.

Summary: Would have required the Cal/EPA by January 1, 2008, in coordination with the ombudsperson, the DTSC, SWRCD, RWQCBs, CIWMB, and specified local agencies, to compile, using existing data sources, a summary of sites with known or potential vapor intrusion, as defined, from a hazardous substance release on the site or migrating onto the site. The bill would have required the Cal/EPA to post the summary and related information collected on the agency's Internet Web site and to update the information by January 1, 2009, and annually thereafter.

AB 2206(Montanez) Recycling: multifamily dwellings.

Summary: Would have required local jurisdictions to report on the progress made in the diversion and recycling of waste material at multifamily dwellings in their annual report to the board, thereby imposing a state-mandated local program by requiring local jurisdictions to provide this information to the board. The bill would have added an additional factor related to diversion and recycling of solid waste from multifamily dwellings that the board would be required to consider in determining the appropriateness of imposing penalties on a local jurisdiction.

AB 2404(Klehs) State government: reports: declarations.

Summary: Would have required any of written reports required to be submitted by any state agency, board, or commission and specified reports required to be submitted to the Controller by any city, county, city and county, or transit district, to include a signed statement by the head of the agency, the chair of the board or commission, or the officer of the local agency, except as specified, declaring that the contents of the report are true, accurate, and complete to the best of his or her knowledge. The bill would have provided that this requirement applies to the head of every state agency, board, or commission, including elected officials of the state and any state official whose duties are prescribed by the California Constitution.

AB 2444(Klehs) Congestion management and motor vehicle environmental mitigation fees.

Summary: Would have authorized the congestion management agencies in the 9 Bay Area counties, by a 2/3 vote of all of the members of the governing board, to impose an annual fee of up to \$5 on motor vehicles registered within those counties for a program for the management of traffic congestion. The bill would have required a program with performance measures and a budget to be adopted before the fee may be imposed. The bill would have required the agency to have an independent audit performed on the program within 2 years after the fee becomes operative, and each year after that date, and to submit a report to the Legislature on the program by July 1, 2011. The bill would have required the DMV, if requested, to collect the fee and distribute the net revenues, after deduction of specified costs, to the agency. The bill would have required that the fees collected may only be used to pay for programs bearing a relationship or benefit to the owners of motor vehicles paying the fee, and would have required the agency to make a specified finding of fact in that regard by a 2/3 vote.

AB 2490(Ruskin) California Toxic Release Inventory Program.

Summary: Would have enacted the California Toxic Release Inventory Program Act of 2006 to require Cal/EPA to establish the California Toxic Release Inventory Program if the Secretary of Cal/EPA determines there has been a specified change made to EPCRA, or the regulations adopted pursuant to EPCRA, so as to make the act or regulations less stringent or to reduce or lessen any reporting requirement imposed pursuant to the federal regulations, that reduces the timely access by the public to accurate information about chemical releases. The bill would have prohibited the secretary from making the determination if there are legal challenges to the changes to EPCRA or the federal regulations that result in a stay or injunction of the changes. The bill would have required the secretary to make the determination within 90 calendar days from the date of adoption of the changes to EPCRA or the federal regulations, or from the date on which the stay or injunction on the changes is dissolved, whichever is later. The bill would have required that program to impose the same requirements as EPCRA within this state, including, but not limited to, any regulations adopted pursuant to EPCRA, as in effect on January 1, 2006. The bill would have required the Cal/EPA, no later than one calendar year after the date when the secretary makes that determination, to adopt regulations to implement the program that are identical in application to the federal regulations in effect on January 1, 2006. The bill would have required the adopted regulations to apply retroactively to the effective date of the changes made to EPCRA or the federal regulations to ensure no gap in data collection. The bill would have required the Cal/EPA to determine whether existing California specific reporting requirements can substitute, in whole or in part, for the information that would be required under the adopted regulations. The bill would require the adopted regulations to use the same reporting forms used for the EPCRA prior to the changes in the federal reporting requirements unless the agency determines that an alternative form is necessary to substitute chemical release data reported under existing California specific programs.

AB 2756(Levine) Energy: efficiency retrofits: State Energy Conservation Assistance Account for Public Schools.

Summary: Would have required the Controller to transfer funds from the Ratepayer Relief Fund to an account in the Special Deposit Fund, to provide grants to eligible institutions, defined as a kindergarten and grades 1-12, inclusive, public school ranked academically as specified, for energy conservation projects at eligible institutions. The bill would have transferred \$22,235,000 from the Attorney General's Ratepayer Relief Fund to an account in the Special Deposit Fund for use by California public universities and community colleges. The bill would have authorized moneys in the account, upon appropriation by the Legislature, to be used by a public university or community college for the purposes of the bill.

AB 2823(Ruskin) Air pollution: district compliance programs.

Summary: Would have required any district that has a population of 1,000,000 or more, for any notice of violation of specified nuisance laws or regulations, to post a copy of the notice of violation on the district's Internet Web site, to provide a copy of the notice of violation to the state board, the city and county where the violation occurred, and other appropriate governmental entities, to notify the superintendent of an affected school district, to place a notice of the violation in a newspaper for one time, and to post a laminated copy of the notice of the violation on each side of the violating facility, as specified, no more than 2 days after ensuring that the information on the notice is accurate, thereby imposing a state-mandated local program. The bill would have required any person who violates specified nuisance laws or regulations to pay these costs.

AB 2825(Ruskin) Schoolsites: hazardous emissions and substances: environmental impact.

Summary: Would have revised provisions to additionally require the identification of both existing and proposed facilities, as defined, that emit hazardous air emissions or handle extremely hazardous substances, hazardous substances, or hazardous waste within that school district's authority, thereby imposing a state-mandated local program by imposing new duties upon school districts. The bill would have required an administering agency, city, county, air pollution control district, or air quality management district that receives a specified notification from a lead agency to provide requested information regarding existing and proposed facilities.

AB 2838(Pavley) Coastal Environment Motor Vehicle Mitigation Program.

Summary: Would have established the Coastal Environment Motor Vehicle Mitigation Program, which, until January 1, 2020, would have authorized the conservancy to request that the Department of Motor Vehicles collect a fee of up to \$6 upon the registration or renewal of registration of every motor vehicle registered in an eligible county that elects to participate in the program, as provided. The bill would have created the Coastal Environment Motor Vehicle Mitigation Account in the State Coastal Conservancy Fund of 1984, for the purpose of receiving and disbursing funds derived from those fees collected by the Department of Motor Vehicles. The bill would have required that all appropriations of funds deposited in the account only be used for specified program purposes, and be included in a section of the annual Budget Act for each fiscal year for consideration by the Legislature. The bill would have prohibited the expenditure of funds derived from the account unless the appropriation is contained in that section of the Budget Act.

AB 2927(Leno) Public records.

Summary: Would have of January 1, 2008, require any state agency that publishes an Internet Web site to include on the homepage of that site specified information that is not exempt from disclosure under the act about how to contact the agency, how to request records under the act, and a form for submitting online requests for records. It would have authorized any person to bring an action to enforce the duty of a state agency to post this information and would provide for penalties including monetary awards to be paid by the agency, with specified provisions to become operative on January 1, 2008.

AB 2960(Ridley-Thomas) Energy: electrical corporation procurement plans.

Summary: Would have required that an electrical corporation's proposed procurement plan include an assessment of the price risk associated with resources used to meet the electricity demands of its retail customers, including an evaluation of the dependency of each resource upon natural gas resources. The bill would have required that an electrical corporation's risk management policy, strategy, and practices, include specific measures of price stability that account for natural gas price volatility and supply risks. The bill would delete certain provisions that conditioned an electrical corporation's obligations and the responsibilities of the commission upon allocation of DWR electricity procurement contracts, the creditworthiness of the electrical corporation, and the electrical corporation's resuming procurement of electricity on behalf of its customers. The bill would have deleted provisions pertaining to operation of power procurement balancing accounts that were in effect until January 1, 2006.

SB 187(Soto) Drinking water: contaminants.

Summary: Would have authorized the department to consider, to the extent information is available, in determining economic feasibility, the potential affects on human health that may result from the adoption of a primary drinking water standard that is less stringent than the public health goal.

SB 403(Machado) Chemical Tanker Task Force.

Summary: Would have required the administrator of the office to convene, within 6 months of receiving funds from funding sources that are not providing funds to the office as of January 1, 2007, the Chemical Tanker Task Force, which the bill would have created, to gather information and make recommendations regarding chemical tankers carrying hazardous materials that enter, leave, or navigate the waters of the state. The bill would have required the administrator to submit, within 18 months of convening of the task force, to the Legislature a report on chemical tankers with information, as specified.

SB 757(Kehoe) Oil Conservation, Efficiency, and Alternative Fuels Act.

Summary: Would have enacted the Oil Conservation, Efficiency, and Alternative Fuels Act, which would have declared that it is the policy of the state that state agencies shall take all cost effective and technologically feasible actions needed to reduce the growth of petroleum consumption, and increase transportation energy conservation, efficiency, and the use of alternative fuels. The act would have required state agencies to take the state's transportation energy goals into account in adopting rules and regulations, including the findings and recommendations of the commission in the Integrated Energy Policy Report.

SB 768(Simitian) Identity Information Protection Act of 2006.

Summary: Would have enacted the Identity Information Protection Act of 2006. Until December 31, 2012, or as otherwise specified, the act would have required identification documents, as defined and with specified exceptions, that are created, mandated, purchased, or issued by various public entities that use radio waves to transmit data, or to enable data to be read remotely, to meet specified requirements. The bill would have provided that a person or entity that intentionally remotely reads or attempts to remotely read a person's identification document using radio waves without his or her knowledge and prior consent, or that knowingly discloses, or causes to be disclosed, operational system keys, as described, shall be punished by imprisonment in a county jail for up to one year, a fine of not more than \$5,000, or both that fine and imprisonment. The bill would have further authorized declaratory or injunctive relief or a writ of mandate and attorney's fees and costs under specified circumstances.

SB 849(Escutia) Environmental health data tracking.

Summary: Would have required, pursuant to that interagency agreement, the establishment of the Interagency Office of Environmental Health Tracking within the department's Center for Health Statistics for the purpose of implementing the California Health Tracking Program. The bill would have required the DHS and the Cal/EPA to each provide one 50% time research scientist as staff to direct the tracking program. The bill would have prescribed the office's objectives over a 3-year period and would have required the office to complete certain duties during the first year after it is established. The bill would have required that its provisions be implemented either through federal or private funding sources or by absorbing the costs through existing resources.

SB 927(Lowenthal) Ports: congestion relief: security enhancement: environmental mitigation: regulatory fee.

Summary: Would have required the Ports of Los Angeles and Long Beach to develop a process for collecting a user fee on the owner of container cargo moving through the Port of Los Angeles or the Port of Long Beach at a rate of \$30 per twenty-foot equivalent unit.

SB 960(Simitian) Hazardous waste: research database.

Summary: Would have repealed the requirement of the program to establish this database and instead require that the department provide, as part of the program, prominent links on its Internet Web site to the Toxic Use Reduction Institute of the University of Massachusetts Lowell and other similar Internet Web sites, to provide information to small businesses and other interested persons on substitutes to materials posing hazards to public health and the environment.

SB 982(Committee on Environmental Quality) Hazardous substances and waste: enforcement: underground storage tanks.

Summary: Would have required the enforcement coordinator to additionally establish and maintain an Internet Web site for receiving reports concerning violations of the hazardous waste control laws and any other statutes and regulations that govern hazardous waste. The bill would have also made conforming changes.

SB 1010(Florez) Rail service: City of Shafter.

Summary: Would have authorized the legislative body of the City of Shafter, by ordinance, to assign the functions of an intermodal rail facility to an intermodal rail commission, to the legislative body, or to any combination thereof. Under the bill, if the city elected to establish an intermodal rail commission, the commission would have been required to serve as an advisory body of the city in all matters pertaining to the California Integrated Logistics Center or other intermodal rail facility operated by the city, with specified functions. Under the bill, if the city elected to establish an intermodal rail commission, the city would have been required to compensate commissioners for their actual and necessary expenses and the city would be authorized to compensate a commissioner for each meeting attended by that commissioner, not to exceed \$75 per meeting. The bill would have required, if the city elected to establish an intermodal rail commission, the city to provide the funds, equipment, and accommodations necessary or appropriate for the work of the commission.

SB 1230(Florez) San Joaquin Valley Clean Air Enterprise Zone Program.

Summary: Would have required the California Infrastructure and Economic Development Bank, in consultation with the San Joaquin Valley Unified Air Pollution Control District, to establish a program to grant low-interest loans, upon appropriation of funds for that purpose by the Legislature, to finance capital expenditures in the San Joaquin Valley Unified Air Pollution Control District that are likely to have substantial air quality benefits.

SB 1286(Ducheny) Binational air pollution.

Summary: Would have upon the execution of a memorandum of understanding between any state agency, the County of Imperial, the State of Baja California, and the City of Mexicali that establishes a binational council to address air quality issues in the binational air basin that encompasses Imperial County and the City of Mexicali, Baja California, specify part of the membership of the California delegation to the binational council. The bill would have required the meetings of the California delegation to be subject to the Ralph M. Brown Act. The bill would have required the binational council to perform specified functions, including, but not limited to, identifying and recommending to the state and local governments of both California and Baja California strategies and actions that could be taken to improve air quality within the air basin. The bill would have also required the binational council to establish certain basinwide goals.

SB 1395(Ducheny) Environmental quality: Native American sites.

Summary: Would have required a lead agency that determines that a project is exempt from CEQA for one of various specified reasons to notify in writing, within 10 days of that determination, all Native American tribes identified by the California Native American Heritage Commission as having an interest in the area that includes the site of the project, of specified information, including the location and a description of the project, a brief explanation of why the project was determined to be exempt from CEQA, and a single point of contact at the lead agency for use by a tribe to contact the lead agency about the exemption or project. The bill would have required the single point of contact to be available to a Native American tribe regarding the exemption, project, or area that includes the site of the project, as specified.

SB 1640(Kuehl) Water.

Summary: Would have required the SWRCB, commencing in 2007, and every 2 years thereafter, to prepare and deliver to all State Water Project contractors, all city and county planning departments, and all regional and metropolitan planning departments within the project service area a report that accurately sets forth, under a range of hydrologic conditions, the then-existing overall delivery capability of the project facilities and the allocation of that capacity to each contractor.

SB 1796(Florez) Flood protection.

Summary: Would have renamed the Reclamation Board the Central Valley Flood Protection Board. The bill would have required the board to act independently of the department. The bill would have prohibited the department from overturning any action or decision by the board.

SB 1835(Florez) Solid waste facilities permit: local initiative.

Summary: Would have prohibited an enforcement agency, as defined, from determining that a solid waste facilities permit application is complete, and would have prohibited an application being deemed complete, pursuant to the Permit Streamlining Act, and would have prohibited an enforcement agency from proposing, submitting to the California Integrated Waste Management Board, or issuing, and the board from accepting or concurring in, a solid waste facilities permit, for a solid waste facility approved by a local initiative measure, unless specified conditions are met.

VETO MESSAGES

AB 966(Saldana) Water quality: California-Baja California border region.

Governor's Message: I am returning Assembly Bill 966 without my signature. This bill requires the State Water Resources Control Board and the California Environmental Protection Agency (Cal EPA) to work within existing state law to coordinate with state, federal, and international partners on California-Mexican border water quality issues. This bill is unnecessary because it gives no additional authority to any agency or board. However, by mandating specific activities and timeframes it will create additional requirements and costs to the state. Mexico is an extremely important economic and cultural partner to California. Our proximity and shared history unite us. The annual Border Governors Conference provides a cooperative forum for discussing complex and important cross-border issues including water quality and the environment. Water quality continues to be an important topic in the work groups for the Border Governors. Additionally, in order to increase coordination and elevate the importance of border environmental issues, this years budget transferred the California-Mexico border program from the State Water Resources Control Board to Cal EPA. This will allow Cal EPA to take an active leadership role managing environmental programs for the border region and coordinating individual boards and departments activities. These ongoing administration activities embody our States commitment to border environmental issues. Sincerely, Arnold Schwarzenegger

AB 974(Nunez) Electricity: electrical transmission infrastructure planning and investment.

Governor's Message: I am returning Assembly Bill 974 without my signature. This measure focuses on the California Public Utilities Commission internal siting process, much of which the commission could do administratively without legislation. However, this measure does nothing to eliminate duplication between agencies, streamline the process, provide consistency or increase certainty. In my response to the 2003 Integrated Energy Policy Report (IEPR) I outlined a program to streamline the transmission permitting process. This proposal included consolidating transmission and generation siting in the same agency, develop a corridor planning process as proposed to be established in SB 1059 currently pending my approval, and increasing transmission investment from both the utility and merchant sector. California needs a one-stop permitting process for bulk transmission lines, which is integrated with energy planning. Agency functions would be consolidated, efficiency in state government promoted, public involvement in permitting decisions enhanced, and permitting decisions would be made in a timely manner This bill fails to resolve the current disconnect between transmission planning and permitting and it creates duplicative filing requirements between the investor-owned utilities and the California Independent System Operator. Sincerely, Arnold Schwarzenegger

AB 993(Canciamilla) Energy resources: energy efficiency training.

Governor's Message: I am returning Assembly Bill 993 without my signature. The intention of this bill may be worthy, but it is unnecessary to codify statutory language to simply encourage the Chancellor of the California Community Colleges to develop a course of training. For this reason, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 1012(Nation) Vehicular air pollution control: clean alternative fuels.

Governor's Message: Assembly Bill 1012 mandates that 50% of all cars and trucks sold in California to be powered by alternative fuels. I strongly support the goal to increase California's use of alternative transportation fuels, however this bill is counterproductive to several major initiatives already underway and will cost California more than \$1.2 billion in transportation funding. Last year I signed Assembly Bill 1007, which requires development of a comprehensive plan with specific benchmarks on how to achieve the goal of increasing the use of alternative fuels in California. This process is underway and this bill ignores this planning and prejudices the outcome. Just this week I signed into law the world's most sweeping legislation to control global greenhouse gas emissions, Assembly Bill 32. This groundbreaking legislation establishes a process for reducing greenhouse gas emissions in the most cost-effective, balanced and expeditious manner, including encouraging the use of alternative fuels. This bill, again,

prejudges the outcome of this historic effort. Most importantly, Department of Finance estimates that this bill will cost the state at least \$1.2 billion per year in critical transportation funds. Gasoline taxes fund our states highways, local streets and roads and our transit system. Alternative transportation fuels are taxed at one half the rate of gasoline and diesel. As we incorporate more of these fuels into our transportation system we need to plan for and mitigate the impact on funding to support our transportation system. Finally, the bill restricts the California Air Resources Board (CARB) ability to develop and implement the most effective reduction measures. California has become a national and world leader on alternative fuels, greenhouse gas reductions and renewable energy. We must not second guess the processes, we must let them work. For these reasons I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

AB 1020(Hancock) Transportation planning: improved travel models.

Governor's Message: I am returning Assembly Bill 1020 without my signature. While well intentioned, this bill would impose costly and unnecessary requirements upon the California Transportation Commission (CTC), the Department of Transportation (Department) and regional transportation planning agencies (RTPAs). My administration is already moving forward with a comprehensive approach to integrating land use and transportation planning through the Strategic Growth Plan that I proposed earlier this year. The Department has already begun implementation of a key element of this plan, the Regional Transportation Blueprint Program. This grant program is funding development of the very types of travel demand modeling and land-use forecasting that this bill envisions. I am extremely concerned that the requirements in AB 1020 would drain critical resources from the important work that is already underway, and would result in substantial duplication of effort among state as well as regional agencies. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

AB 1062(Saldana) Medical experimentation: biomonitoring research informed consent.

Governor's Message: I am returning Assembly Bill 1062 without my signature. I just signed Senate Bill 1379, creating the California Contaminant Biomonitoring Program. This comprehensive program addresses the issues surrounding consent and data collection in a comprehensive manner. Assembly Bill 1062 is unnecessary and includes provisions that may conflict with the statewide biomonitoring program. Sincerely, Arnold Schwarzenegger

AB 1337(Ruskin) Environment: state buildings: green building standards.

Governor's Message: I am returning Assembly Bill 1337 without my signature. This bill requires the Integrated Waste Management Board to develop regulations for green building standards for the construction and renovation of state buildings. The bill also mandates that all state buildings be designed and operated in accordance with the regulations. In California, building standards are developed by the California Building Standards Commission. They prescribe how State building standards are written and promulgated in a public and participatory manner. The California Integrated Waste Management Board expertise is in waste management and reduction and they have done excellent work in identifying new uses in building products for recycled material. However, the Board does not have the expertise in building standards, public safety, building design and construction, fire codes and public process to ensure the standards are developed in an appropriate manner. Sincerely, Arnold Schwarzenegger

AB 2092(Hancock) Hazardous substance release: vapor intrusion.

Governor's Message: I am returning Assembly Bill 2092 without my signature. Brownfield sites can pose a threat to the public health and environment. I have strongly supported prior brownfield legislation and initiated administrative efforts to expand and improve brownfield site cleanups including AB 389 in 2004. Under my Administration, the California Environmental Protection Agency, State Water Resources Control Board, Regional Water Quality Control Boards and Department of Toxic Substances Control have signed a Memorandum of Agreement to improve coordination of regulatory activities at these sites. This bill is unnecessary and may inadvertently stigmatize a site, delaying clean up and reuse. This bill assumes that vapor intrusion is a major undetected and unaddressed problem. Although vapor intrusion has been a problem at some specific sites, there are already effective measures to address this issue. The current site characterization and cleanup processes address all possible exposure pathways, including human health risk from vapor intrusion. Additionally, this bill does not provide for the removal of sites from the summary list once it has been cleaned up or determined not to pose a public health risk. As

a result, this bill is likely to result in unnecessary public concern and could result in sites not being cleaned up in a timely manner. Sincerely, Arnold Schwarzenegger

AB 2206(Montanez) Recycling: multifamily dwellings.

Governor's Message: I am returning Assembly Bill 2206 without my signature: While I support efforts to reduce the amount of solid waste going to our landfills, the mandates in this measure are overly prescriptive and create significant state, local and private compliance costs. While I cannot sign this bill, I encourage the Integrated Waste Management Board to continue in its efforts to provide adequate tools and resources to local jurisdictions in order to make available increased recycling opportunities for multifamily dwelling residents. Sincerely, Arnold Schwarzenegger

AB 2404(Klehs) State government: reports: declarations.

Governor's Message: I am returning Assembly Bill 2404 without my signature. Although I agree that the Legislature should base their decisions on sound information that is true, accurate and complete, I believe that this bill is the wrong approach. By requiring that only mandatory reports submitted to the Legislature and State Controller contain signed statements attesting to their accuracy, this bill would create and inconsistent system in which some of the information considered in the legislative process is subject to declarations of truth, while the majority of the written material used in the legislative process is accepted as truth without such verification. The Legislature already has the authority to question the accuracy of a report by requiring those responsible for submitting the report to attest to the accuracy of the report under oath. Given this legislative oversight and the fact that state law already makes it a misdemeanor for a state or local official to submit a written report containing false information to the State Controller, this measure is unnecessary. Sincerely, Arnold Schwarzenegger

AB 2444(Klehs) Congestion management and motor vehicle environmental mitigation fees.

Governor's Message: I am returning AB 2444 without my signature. This bill, which seeks to impose a new tax on all cars registered in specified Bay Area Counties, is nearly identical to legislation I vetoed last year. As I stated last year, as well as in other veto messages this year, I support the goal of increasing funds to mitigate traffic congestion, but cannot support the continued adding of fees such as this without the approval of the people upon whom the fees are imposed. Throughout the year, my administration worked with members of the legislature on a proposal that would have given all counties the authority to adopt, with voter approval, modest license fee add-ons to fund environmental and traffic mitigation programs. Unfortunately, those efforts were ultimately rejected. I encourage the Legislature to reconsider this decision when they return next year. Sincerely, Arnold Schwarzenegger

AB 2490(Ruskin) California Toxic Release Inventory Program.

Governor's Message: I am returning Assembly Bill 2490 without my signature. This bill establishes a state level program mirroring the United States Environmental Protection Agency's (USEPA) existing Toxics Release Inventory program under specific conditions. This bill is overly broad, premature and duplicative. This bill attempts to address a preliminary draft proposal by USEPA that has not been adopted. The bill would require California to develop a new multi million dollar state level reporting system for information that would be mostly duplicative of data that would continue to be collected at the federal level even if the federal government chooses to proceed with its proposed changes. Sincerely, Arnold Schwarzenegger

AB 2595(Arambula) Manufacturing: logistics training.

Governor's Message: I am returning Assembly Bill 2595 without my signature. This legislation is based on recommendations from a recent report about changes in the employment needs of California's manufacturing industry. My Administration, through the California Workforce Investment Board, has already taken steps to implement these recommendations. As such, this legislation is unnecessary. Sincerely, Arnold Schwarzenegger

AB 2712(Leno) Housing: sex offenders.

Governor's Message: I am returning Assembly Bill 2712 without my signature. I sympathize with property owners who are faced with the problems presented by registered sex offenders. However, this bill would prioritize property-owner liability protection before tenant safety. I cannot support legislation that

may compromise the safety of families and children. Protection of our children from sexual predators should be the top priority and I encourage the Legislature to revisit this dilemma in more depth next session to develop a solution that protects both families and property owners. For these reasons, I cannot support this measure. Sincerely, Arnold Schwarzenegger

AB 2756(Levine) Energy: efficiency retrofits: State Energy Conservation Assistance Account for Public Schools.

Governor's Message: I am returning Assembly Bill 2756 without my signature. This bill would transfer \$22,235,000 from the Ratepayer Relief Fund established through a court settlement with Williams Companies to a special fund to be used for energy efficiency programs, research and curriculum in schools. While the intent of this bill may be meritorious, establishing a new undefined program in the school system to provide grants is not prudent. The funding should be transferred to one of the numerous energy efficiency programs already in existence so it can be productively invested as soon as possible to maximize benefits to ratepayers. Sincerely, Arnold Schwarzenegger

AB 2823(Ruskin) Air pollution: district compliance programs.

Governor's Message: I am returning Assembly Bill 2823 without my signature. I have strongly supported efforts to make enforcement information transparent and to improve enforcement accountability. Through the Enforcement Initiative, the California Environmental Protection Agency is collecting and posting enforcement data for all environmental violations across government, not just air quality. The requirements in the bill on local air districts can be accomplished administratively and should be pursued locally by communities that desire this information. Sincerely, Arnold Schwarzenegger

AB 2825(Ruskin) Schoolsites: hazardous emissions and substances: environmental impact.

Governor's Message: I am returning Assembly Bill 2825 without my signature. This bill would require a school district, in preparing an environmental impact report for a proposed school site, to identify any proposed facilities that, if built, could emit hazardous air emissions or handles specified hazardous substances within one-fourth of a mile of the proposed site. I am concerned that this bill would impose unnecessary additional costs on school districts requiring them to identify and review potential impacts of proposed facilities that may never be built. Current law provides assurances that schools will not be built near sites containing actual air emissions which could be harmful to school children and faculty. Sincerely, Arnold Schwarzenegger

AB 2838(Pavley) Coastal Environment Motor Vehicle Mitigation Program.

Governor's Message: I am returning AB 2838 without my signature. This bill, which seeks to impose a new tax on all cars registered in specified coastal counties, is nearly identical to legislation I vetoed last year. In that veto message, I stated that I support the goal of increasing funds to mitigate the effect of traffic congestion but that I cannot support the continued adding of new fees such as this without the approval of the people upon whom the fees are imposed. My position has not changed. Throughout the year, my administration worked with members of the legislature on a proposal that would have given all counties the authority to adopt, with voter approval, modest license fee add-ons to fund environmental and traffic mitigation programs. Unfortunately, those efforts were ultimately rejected. I encourage the Legislature to reconsider this decision when they return next year. Sincerely, Arnold Schwarzenegger

AB 2927(Leno) Public records.

Governor's Message: I am returning Assembly Bill 2927 without my signature. An open and accessible government is critical to instill confidence in the governed. Indeed the people recently voted overwhelmingly to amend California's Constitution to make access to public records a fundamental right. That is why I issued Executive Order S-03-06 which directs all state departments to post PRA request guidelines in a conspicuous public place at all office locations and to identify and designate staff to handle the requests and ensure appropriate training in PRA compliance for designated staff members. As a result of the order, all executive branch agencies have reviewed their public records procedures. They have been revamped to improve performance and compliance and extensive training has been provided to state agency staff. These efforts address the problem this bill is attempting to fix. In addition the provision allowing the Attorney General to review denials of public records requests is unduly burdensome. The Attorney General is the attorney for most State agencies and advises agencies on

responding to such requests and thus this bill creates an inherent conflict of interest. I will continue to require the highest standards of compliance with the Public Records Act throughout the executive branch. Sincerely, Arnold Schwarzenegger

AB 2960(Ridley-Thomas) Energy: electrical corporation procurement plans.

Governor's Message: I am returning Assembly Bill 2960 without my signature. This bill is unnecessary and duplicative of existing statute and regulations. The California Public Utilities Commission has already adopted aggressive risk management policies to address volatility of natural gas prices to ensure just and reasonable rates. Additionally, this bill requires each utility to include natural gas price and supply forecast which is already developed biannually as part of the California Energy Resources Conservation and Development Commissions Integrated Energy Policy Report. The bill contains language that attempts to promote renewable energy use. However, I have signed Senate Bill 107 which accelerates the renewable energy portfolio compliance date for utilities from 2017 to 2010. That bill will more effectively address the goal to increase renewable energy consumed by Californians. Sincerely, Arnold Schwarzenegger

SB 187(Soto) Drinking water: contaminants.

Governor's Message: I am returning Senate Bill 187 without my signature. This bill alters the existing process for the adoption of drinking water standards by the Department of Health Services (DHS). Although I support the intent of SB 187 to protect the public's drinking water supply, the bill ignores the deliberative scientific process that must be part of the development of any drinking water standard. A maximum contaminant level (MCL) is an enforceable regulatory standard under the Safe Drinking Water Act and must be complied with by public water systems. Current law requires DHS, while placing primary emphasis on the protection of public health, to establish an MCL at a level as close to the theoretical public health goal as is technically and economically feasible. This bill ignores the necessity to consider economic and technological feasibility when adopting an enforceable drinking water standard. Sincerely, Arnold Schwarzenegger

SB 403(Machado) Chemical Tanker Task Force.

Governor's Message: I am returning Senate Bill 403 without my signature. Although tank vessels transporting chemicals on California waters can pose challenges, local Harbor Safety Committees and the United States Coast Guard already have authority to require safety measures for vessels which might pose a particular threat to the port or environment. My Office of Homeland Security has expressed concerns that I share, that the report required in this bill, particularly by disclosing the list of tank vessels, their specific structure and safety features, the type and quantity of their chemical cargoes and their ports of call could actually threaten, instead of protect, both the environment and public. Sincerely, Arnold Schwarzenegger

SB 757(Kehoe) Oil Conservation, Efficiency, and Alternative Fuels Act.

Governor's Message: I am returning Senate Bill 757 without my signature. The intent of this bill is laudable, however, it is duplicative of ongoing efforts, costly, and may impede the significant progress California is making to address alternative transportation fuels. I strongly agree with this goal and have taken many actions over the past year toward achieving this end, including issuing an Executive Order promoting biofuels, S-06-06 and signing Assembly Bills 1007 and 32. AB 1007 requires the California Energy Commission and the Air Resources Board to assess the relative environmental and public health benefits of different alternative fuel types and to develop and adopt a detailed state plan to increase the use of alternative transportation fuels. That detailed report will be out early next year and will provide a roadmap for alternative fuels in California. From that roadmap an integrated and comprehensive set of actions can be taken. Any legislative action taken by the state prior to the release of the AB 1007 would be premature. Additionally, the process established in Assembly Bill 32 will guide the state's implementation of alternative fuels that help reduce global greenhouse gas emissions. We must not second-guess the process established in AB 32 with bills that address the same issues. Now that AB 32 is enacted, we must let it work. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

SB 768(Simitian) Identity Information Protection Act of 2006.

Governor's Message: I am returning Senate Bill 768 without my signature. SB 768, which would impose

technology regulations on RFID-enabled ID cards and public documents, is premature. The federal government, under the REAL ID Act, has not yet released new technology standards to improve the security of government ID cards. SB 768 may impose requirements in California that would contradict the federal mandates soon to be issued. In addition, this bill may inhibit various state agencies from procuring technology that could enhance and streamline operations, reduce expenses and improve customer service to the public and may unnecessarily restrict state agencies. In addition, I am concerned that the bills provisions are overbroad and may unduly burden the numerous beneficial new applications of contactless technology. Sincerely, Arnold Schwarzenegger

SB 832(Perata) Punitive damages.

Governor's Message: I am returning Senate Bill 832 without my signature. SB 832 seeks to extend the sunset on Section 3294.5 which was added to the Civil Code relating to punitive damages. While I have been supportive of the policy in the past and signed SB 1102 that contained the original provision which sunset on July 1, 2006, this bill was amended late in the legislative session and did not provide an opportunity for sufficient hearings to determine whether this policy has been effective or not. I encourage the author to reintroduce the bill next year and allow a full debate on the effectiveness of the policy. Sincerely, Arnold Schwarzenegger

SB 849(Escutia) Environmental health data tracking.

Governor's Message: While I agree with the author, that improved coordination of research and data collection can help California better protect public health, I am returning Senate Bill 849 without my signature as this bill duplicates efforts underway. California has taken great strides to better protect public health and improve environmental health by creating a new Department of Public Health and establishing the first comprehensive, statewide effort to measure and catalogue human exposure to chemicals. California's Biomonitoring Program, established by SB 1379 (Perata) which I recently signed into law, will help us better understand how chemicals in our environment may be building up and affecting our bodies, our environment, and our public health. The Biomonitoring program will build on existing efforts to increase data sharing and strengthen research efforts through an environmental health tracking program. Sincerely, Arnold Schwarzenegger

SB 924(Speier) Driving schools: motor trucks: Class A commercial driver's licenses.

Governor's Message: I am returning Senate Bill 924 without my signature. This bill would establish additional requirements on truck driving schools regulated by the Bureau of Private Post-Secondary and Vocational Education. Although I am supportive of efforts to ensure appropriate oversight of these schools, this bill imposes new workload requirements on the Bureau without responding to the need for significant changes to fix the Private Postsecondary and Vocational Education Reform Act of 1989. The fundamental problems with the Private Postsecondary and Vocational Education program have been studied extensively and well documented over the years. In 2004, I signed SB 1544 which appropriated \$150,000 to study this program and make recommendations on how to fix it. The Bureaus Operations and Administrative Monitor issued an exhaustive report in September 2005 stating that the statutes were fundamentally flawed and without complete statutory reform the program would be destined for failure. I cannot support imposing additional workload on the program until we have addressed the issues raised in the Monitors report. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

SB 927(Lowenthal) Ports: congestion relief: security enhancement: environmental mitigation: regulatory fee.

Governor's Message: I am returning Senate Bill 927 without my signature. Improving the quality of life for all Californians through congestion relief and environmental improvement has been one of my top priorities as evidenced by the introduction of my Strategic Growth Plan resulting in the enactment of Senate Bill 1266 (Chapter 25, 2006). Senate Bill 1266 (Chapter 25, 2006) is the largest transportation and air quality bond in the history of the United States. It provides \$1 billion in new funding to improve air quality in California which will directly benefit the communities in and around the Los Angeles and Long Beach Ports. Senate Bill 1266 also provides \$1 billion to address port mitigation issues, \$2.1 billion for trade infrastructure and \$100 million in port security funding. This is in addition to the \$140 million annually for air quality mitigation contained in Assembly Bill 923 (Chapter 707, 2004) which I sponsored

and signed. Although the policy objectives of Senate Bill 927, to develop more secure ports, congestion relief and environmental mitigation, are laudable, this measure is flawed in its construction, application, lack of accountability and failure to coordinate with other public and private financing sources ignoring opportunities to leverage additional funding. Senate Bill 927 provides no mechanism for the usage of the fees collected to favorably leverage the billions of dollars in available funding to develop public private partnerships. Although SB 927 does generate funds, if done in a more coordinated fashion with the public and private sector, funding for additional congestion relief and mitigation could be increased geometrically. Additionally, this measure is drafted to include only two ports and applies only to goods shipped in containers, ignoring all other forms of shipping and ports of entry. Public safety is and has been my top priority which includes increasing the security at all California ports. My Office of Homeland Security and Emergency Services has aggressively worked with the U.S. Office of Homeland Security and all our local counties and cities to support them as they develop their local plans for port security and identify their needs. Over 127 million dollars has been awarded and allocated on a competitive basis to California ports for security. These grants are being used for port security training, communications equipment, cameras, lighting underwater surveillance and protective equipment for port first responders. We have an additional 100 million dollars included in the strategic growth plan specifically for port security. Additionally, we are working with the U.S. Department of Homeland Security on their just announced award investing over 1 billion dollars on radiological and nuclear detection capabilities. As Governor, I have traveled to both China and Japan working to improve our trading relationships with these nations trade that includes both imports and exports. It is very important that any measure that increases fees that impact exporters not have the unintended consequence of negatively impacting the sale and delivery of goods grown and manufactured in California. SB 927, unfortunately could negatively impact these exports as well. Finally, my goods movement task force is developing a comprehensive report that will provide more thorough and strategic direction and insight on what the best options are to address goods movement and port related challenges. This report will be available by the end of this year. Sincerely, Arnold Schwarzenegger

SB 960(Simitian) Hazardous waste: research database.

Governor's Message: I am returning SB 960 without my signature. This bill requires the Department of Toxic Substance Control to post on its website information it already has posted and link to sites it already links to. Referencing these sites in statute is duplicative and will limit discretion of the Director to find the best most relevant sites in which to provide links so that businesses and consumers have access to the most current and useful data. Sincerely, Arnold Schwarzenegger

SB 982(Committee on Environmental Quality) Hazardous substances and waste: enforcement: underground storage tanks.

Governor's Message: I am returning Senate Bill 982 without my signature. This bill is duplicative of existing activities at the Department of Toxics and Substance Control. The department already makes its environmental enforcement and complaint information available on its website. It allows the State Water Resources Control Board to post reports already available to the public. Therefore, this bill is unnecessary and duplicative. Sincerely, Arnold Schwarzenegger

SB 1010(Florez) Rail service: City of Shafter.

Governor's Message: I am returning Senate Bill 1010 without my signature. This bill authorizes the City of Shafter to form an intermodal rail commission and assign functions to that commission. While I am supportive of efforts to improve goods movement in California, legislation is not necessary to achieve the goals of this bill. Further, goods movement issues should be discussed in a comprehensive fashion, not a piecemeal manner. The Goods Movement Task Force of the Business, Transportation, and Housing Agency will be releasing recommendations this fall to facilitate such a comprehensive discussion. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

SB 1230(Florez) San Joaquin Valley Clean Air Enterprise Zone Program.

Governor's Message: I am returning Senate Bill 1230 without my signature. This bill directs the California Infrastructure and Economic Development Bank (I-Bank) to establish a program that provides low interest loans for air quality projects in the San Joaquin Valley. I support creative options aimed at reducing air pollution, however, this bill requires emission reductions for stationary sources that exceed

federal standards by 30 percent, retrofit projects must be completed 50 percent sooner. These overly prescriptive requirements will prevent intended recipients from qualifying. Additionally, this bill does not contain a funding source. With these requirements and no funding this bill would do nothing to clean the Valleys air. The San Joaquin Valley Partnership is currently developing a comprehensive action plan to address the Valleys air pollution challenges. Following the release of that plan, I look forward to working with local air district and the Legislature to fully implement the action items. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

SB 1286(Ducheny) Binaltional air pollution.

Governor's Message: I am returning Senate Bill 1286 without my signature. I commend the author for attempting to establish a state governance structure to address cross border air quality issues on the California Mexican border. However, the functions of the bills proposed council would be duplicative of ongoing efforts by the U.S. Mexico Air Policy Forum and the Imperial Valley-Mexicali and San Diego-Tijuana air quality task forces established under the Border 2012 Program. The proposed council could dilute the efforts of the current workgroups. It may even prove difficult to rally support for another border air quality coordinating group. Additionally, this bill would have significant general fund costs in order to fulfill its requirements. Sincerely, Arnold Schwarzenegger

SB 1395(Ducheny) Environmental quality: Native American sites.

Governor's Message: I am returning Senate Bill 1395 without my signature. This bill places unnecessary obligations on state and local agencies in times of emergency and could hinder completion of important public safety projects. Specifically, this measures notification and information exchange requirements would result in lead agencies having to enter into potentially lengthy discussions with Native American tribes during critical times before or after an emergency. While I agree with the measures intent to enhance environmental protections for Native American sacred sites, such protections should not potentially endanger the health and safety of California citizens. Sincerely, Arnold Schwarzenegger

SB 1432(Lowenthal) Mello-Roos districts.

Governor's Message: I am returning Senate Bill 1432 without my signature. Since the enactment of the Mello-Roos Community Financing Act of 1982, Mello-Roos taxes have been used to finance the construction of schools, parks, police and fire service, streets, and other services needed to accommodate new home development. This bill makes a number of technical amendments and clarifications which I find unobjectionable. However, this bill also contains a provision that would allow Mello-Roos taxes to be imposed on homeowners in order to finance affordable housing projects. This provision represents a fundamental shift in the purpose of Mello-Roos taxes and is one that I cannot support. While I support the construction of much-needed affordable housing in our state, the burden to finance that construction should not be placed on homeowners in the form of what is essentially a tax increase. Sincerely, Arnold Schwarzenegger

SB 1489(Ducheny) Attorney's fees: Attorney General.

Governor's Message: I am returning Senate Bill 1489 without my signature. This bill revises and recasts budget trailer bill language that was part of the 2003-04 Budget. One provision, providing for the Attorney General to recover reasonable costs and fees upon prevailing in a public rights case, was subsequently called into question by a Superior Court in Tehama County as a violation of the single subject rule. Although SB 1489 reestablishes the invalidated provision in an independent measure, it raises fiscal allocation concerns. When the Legislature required reasonable cost and fee recovery upon prevailing in a public rights case, it did so to ensure that the Department of Justice Public Rights Division could continue to fund its important public interest work during a time when an augmentation from the General Fund was not a priority of the Legislature. Furthermore, the Attorney General can recover court costs under existing law as a prevailing party, thereby ensuring that the Division does not suffer a net loss when it wins cases. For Public Rights Division litigation, the funding source should be determined by the activity. When the Attorney General focuses litigation in a specific area, the funding for those activities should come from the Special Fund designated for such cases and the appropriate fund source should be the beneficiary of any recovered costs. If the AG needs additional resources, the existing budget process enables him to seek augmentation. For example, the 2006-07 Budget Act appropriated an addition al \$1 million for climate change initiative litigation. Sincerely, Arnold Schwarzenegger

SB 1640(Kuehl) Water.

Governor's Message: I am returning Senate Bill 1640 without my signature. Water in California is a scarce and precious resource. Recognizing this fact, I made water supply improvement and water use efficiency a central platform of my Strategic Growth Plan. Any comprehensive water policy legislation must recognize the interaction between surface and groundwater and the importance of water supply and conveyance improvements. This bill attempts to address a host of water policy issues in one bill. While the author should be recognized for the effort on urban water management plans, energy consumption associated with water use, and surface water diversion reports, the bill is flawed because there is no funding to implement these programs. Requiring the Department of Water Resources to identify and oversee groundwater monitoring activities in every groundwater basin and subbasin in California is a very ambitious and expensive undertaking, yet there is no appropriation in the bill to cover these costs. The department is already mandated to produce a statewide update on groundwater basins known as Bulletin 118. The existing report includes a thorough analysis of groundwater, including a review of boundaries and hydrographic features, yield data, water budgets, well production characteristics, water quality, and development of a water budget for each groundwater basin. The State should work with local districts and landowners to develop a plan to acquire the information necessary to fill the data gaps that may be missing from Bulletin 118. Additionally, the department should continue to work with local agencies by providing expertise and funding when available to implement the Local Groundwater Management Assistance Act. This will assist local entities and landowners to help implement these provisions at the local level. Groundwater is an overlying property right in California. Rather than imposing an unfunded mandate on State and local agencies and overlying landowners, a more effective approach would require the State to use existing information it has already compiled, cooperate with local agencies implementing groundwater management, and improve on its groundwater monitoring well program. Sincerely, Arnold Schwarzenegger

SB 1703(Lowenthal) California Transportation Commission.

Governor's Message: I am returning Senate Bill 1703 without my signature. This measure would increase the membership of the California Transportation Commission (CTC) from 11 members to 13, with additional voting members appointed by the Speaker of the Assembly and the Senate Rules Committee, respectively. Given the massive investments we have made this year to transportation, I understand the Legislatures desire to have more input in how transportation dollars are spent. This bill, however, represents a fundamental change to the longstanding and historically successful process whereby the Legislature makes appropriations to state transportation funds, such as the State Transportation Improvement Program, and the CTC, appointed solely by the Governor, allocates funding for specific projects. Although I am not adverse to reasonable changes to the composition of the CTC, the fundamental changes proposed by this measure require additional scrutiny and discussion. Sincerely, Arnold Schwarzenegger

SB 1796(Florez) Flood protection.

Governor's Message: I am returning Senate Bill 1796 without my signature. Improving the states flood management system has been a priority of my administration. This effort began with the development of a comprehensive Flood White Paper at the Department of Water Resources and has resulted in the largest flood control bond in California's history. Recognizing the threat flood management creates for public safety, my administration is working diligently to address the many critical erosion sites that continue to present a threat to public safety. I plan to continue devoting administrative and legislative efforts to improve the States flood management system. I look forward to working with the Legislature next year to develop comprehensive flood management legislation. Sincerely, Arnold Schwarzenegger

SB 1826(Migden) Surplus state property.

Governor's Message: I am returning Senate Bill 1826 without my signature. This is a surplus property bill and, as such, it should be included in the Department of General Services (DGS) annual omnibus bill. The DGS is required by law to submit a bill to the Legislature to dispose of any surplus land by sale, lease, or exchange. This process has worked well for most of the last decade. Recently, however, the Legislature has chosen to add millions of dollars in expenses to this process by requiring a CEQA document to be generated prior to the sale of the States property. I am requesting that the Legislature

articulate why these properties are acceptable to be acted on without a CEQA requirement, but not the others that were included in the omnibus surplus property bill. Until such time that this issue can be resolved, a piecemeal approach to the sale of surplus property is not acceptable. As a result, I will not sign this bill. Sincerely, Arnold Schwarzenegger

SB 1835(Florez) Solid waste facilities permit: local initiative.

Governor's Message: I am returning Senate Bill 1835 without my signature. This measure establishes permitting impediments for landfills approved by local initiative not required for landfills approved through other local processes. Permitting landfill facilities requires compliance with the California Environmental Quality Act, and various local, state and federal permitting agencies including ones with jurisdiction over air and water quality. During these permitting processes, local citizens, state and federal regulators will have ample opportunity to comment on the project, impose mitigation measures, and require strict compliance with environmental protection laws. The local initiative process only addresses the local land use requirements and I am hesitant to require additional permitting burdens for a landfill that was approved by a vote of the citizens versus one approved by local officials. Sincerely, Arnold Schwarzenegger